



Legislative Testimony
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Written Testimony Supporting Senate Bill 295, An Act Concerning State Law Protections for Health Care Providers and Patients Related to the Provision of a Legally Protected Health Care Activity

Senator Winfield, Representative Stafstrom, Ranking Members Kissel and Fishbein, and members of the Judiciary Committee:

My name is Jess Zaccagnino, and I am the policy counsel of the American Civil Liberties Union of Connecticut (ACLU-CT). I am writing to testify in strong support of Senate Bill 295, An Act Concerning State Law Protections for Health Care Providers and Patients Related to the Provision of a Legally Protected Health Care Activity.

The ACLU-CT is an organization that is dedicated to furthering reproductive justice and gender equality. The ACLU-CT believes in a future where everyone can make decisions about reproductive health care, pregnancy, gender-affirming care, and parenting that are the best for them, which includes access to safe, legal, and affordable abortion. We are dedicated to ensuring that LGBTQ+ people can live openly and freely, with full rights, personal autonomy, and freedom of expression and association.

Connecticut has been a preeminent leader in recognizing and safeguarding reproductive rights and gender-affirming care. We thank this Committee for its dedication to ensuring that Connecticut remains a beacon of freedom as we witness direct and repeated attacks against civil rights and liberties across the country. The 2022 General Assembly led the nation on abortion protections by passing the first shield law, the Reproductive Freedom Defense Act, which protects patients and

providers from targeted legal attacks by anti-choice extremists in other states with radical and archaic abortion bans.

We are witnessing existential threats to civil rights and liberties in America, including regressive attacks on reproductive health care and gender equality. The decision to overturn *Roe* directly caused a devastating public health and civil liberties crisis. Now, millions of people live hundreds of miles away from their closest providers of abortions or gender-affirming care. Hundreds of thousands of people have already traveled outside of their state, including to Connecticut, to get the care they need. We have continued to see attacks on reproductive health care and rights from the federal government and states—from abortion, family planning, contraception, IVF, and gender-affirming care. At the same time, the Trump administration targeted the LGBTQ+ community from the moment he stepped into office by supporting a bevy of policies that relentlessly harm LGBTQ+ people and their families and threaten their rights, safety, and fundamental freedom to exist. Efforts to restrict and even *criminalize* medically necessary care for transgender young people aim to prevent families of transgender young people from working with doctors to ensure that their child gets the care that they need. Increasingly, we have even seen efforts in other states to undermine people's ability to use assisted reproduction services, like IVF, and to restrict access to contraception. As politicians across the country deny our freedom, obstruct access to reproductive care, and threaten other substantive due process rights, the ACLU-CT is grateful to this Committee for continuing to prioritize access for our state's residents.

Everyone deserves access to health care in their community, on the timeline they choose, and by the provider they trust. Access to reproductive health care, including abortion and gender-affirming care, is not just about its legality; but it is also about humanity, dignity, and freedom. As the U.S. Supreme Court abandoned nearly fifty years of precedent, a lack of access to reproductive health services is already threatening people's lives and futures across the country. People across the country

have been forced to remain pregnant against their will or prevented from accessing life-saving gender-affirming care, endangering their mental and physical health, their lives and futures, and their family's lives and futures. Four years after *Dobbs*, more than nineteen states have taken action to severely restrict or entirely ban access to abortion, and more than 25 million women of reproductive age as well as transgender and nonbinary people live in a state where abortion is severely restricted or completely banned. Justice Thomas's concurring opinion in *Dobbs* paints a dark picture, urging the Court to reconsider all its substantive due process precedents, specifically naming cases that protect the right to choose who one marries, whether to use contraception, and the ability to have consensual sex with partners of their choosing.¹ In the years since the *Dobbs* decision, there has already been a massive rise in anti-LGBTQ+ legislation at the state and local level, echoing attacks we have already seen on abortion and reproductive health care access. More than twenty-five states have banned or restricted families from accessing medically necessary health care, aligned with standards of care, for their transgender children, and six states have made it a *felony* to provide certain forms of medically necessary care to transgender young people. Threats to reproductive health care, gender-affirming care, and more recently-acquired LGBTQ+ rights will disproportionately harm marginalized communities of color. We are already seeing the effects of this as states across the country enact draconian bills that rigidly prohibit abortion and target transgender and nonbinary people.

Because of systemic racism, we know that those hurt first and worst by these attempts are Black and Latine people and those who are low-income. The promise of *Roe* has never been a reality for everyone in this country, and in the past year, in many places, that promise has been gutted entirely. More than half of Black women of reproductive age, plus transgender and nonbinary people, live in states with abortion bans. In Connecticut, and across the country, economic injustice, systemic

¹ *Dobbs v. Jackson Women's Health Org.*, 597 U.S. 215 (Thomas J., concurring) ("For that reason, in future cases, we should reconsider all of this Court's substantive due process precedents, including *Griswold*, *Lawrence*, and *Obergefell*.").

racism, documentation status, targeted restrictions on reproductive health care and gender affirming care providers, and the criminalization of pregnancy outcomes have kept abortion access out of reach for people of color, young people, LGBTQ+ people, and lower-income people.

In 2022, anticipating the Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization*, which eliminated federal constitutional protections for abortion, Connecticut acted boldly and proactively by passing the Reproductive Freedom Defense Act—a first of its kind shield law to protect Connecticut providers from the reach of anti-abortion extremists in hostile states attempting to chill, restrict, and criminalize abortion access beyond their borders. Shortly after passing the initial bill, lawmakers expanded the law's reach to protect against increased attacks on and efforts to criminalize and punish providers of safe, effective, and medically necessary care for transgender youth. The General Assembly strengthened these protections in 2023 when the General Assembly enacted legislation ensuring reproductive and gender-affirming health care providers will not face professional licensure repercussions or discriminatory medical malpractice insurance rate hikes if they are subject to litigation on the provision of health care that is legal in Connecticut. Together, these provisions form a powerful shield to ensure Connecticut is a leader in the protection of access to reproductive and gender-affirming care. But we can, and must, do more to properly defend reproductive freedom for all, such as including telehealth providers.

Senate Bill 295 will continue to bolster our shield law and to offer an additional layer of protection for providers seeking to offer legally protected and medically necessary care, regardless of the patient's zip code. The bill is essential in ensuring that our state continues to do everything in its power to protect Connecticut's health care providers, and access to essential reproductive health care services, including abortion, as well as prescribed health care accessed by transgender people and their families. Currently, both through legislation and executive order, twenty-two states

and Washington D.C. have shield protections for reproductive health care, and seventeen states and Washington D.C. have shield law protections covering gender-affirming care. The most robust and comprehensive shield laws in the country, present in eight states, include explicit protection for telehealth providers.² We know that lawmakers that oppose abortion and health care for transgender people will continue attempting to end access to this critical care—not just in ban states, but nationwide—through government overreach and hostile enforcement actions. The need for these added protections for licensed providers is underscored by ongoing civil and criminal litigation by out-of-state anti-abortion actors, including from states like Texas and Louisiana. We also know that hostile states are taking advantage of a nationwide network of Flock automatic license plate reader cameras, which are present throughout Connecticut, to surveil people in other states, including people seeking protected health care. For example, last year, police in Johnson County, Texas performed a nationwide search in Flock’s database to find a woman who they believed had a self-administered abortion, and court documents revealed that police performed the search with the intent of charging the woman with a crime.³

Given this knowledge, it is evident that our shield law must be improved. By further bolstering Connecticut’s Reproductive Freedom Defense Act and our state’s shield protections with these added protections for telehealth providers through Senate Bill 295, Connecticut will be able to offer a critical layer of defense for its dedicated and compassionate reproductive health care workforce seeking to respond to the national public health emergency that is our post-*Roe* reality. As such, the ACLU-CT strongly supports Senate Bill 295, and urges this committee to do the same.

² *Shield Laws for Reproductive and Gender-Affirming Health Care: A State Law Guide*, UCLA L. CTR. REPROD. HEALTH, L & POL’Y, (Dec. 2025), <https://law.ucla.edu/academics/centers/center-reproductive-health-law-and-policy/shield-laws-reproductive-and-gender-affirming-health-care-state-law-guide>.

³ See Jason Koebler & Joseph Cox, *Police Said They Surveilled Woman Who Had an Abortion for Her ‘Safety.’ Court Records Show They Considered Charging Her With a Crime*, 404 MEDIA (Oct. 7, 2025), <https://www.404media.co/police-said-they-surveilled-woman-who-had-an-abortion-for-her-safety-court-records-show-they-considered-charging-her-with-a-crime/>; Dave Maass & Rindala Alajaji, *Flock Safety and Texas Sheriff Claimed License Plate Search Was for a Missing Person. It Was an Abortion Investigation*, ELEC. FRONTIER FOUND. (Oct. 7, 2025), <https://www.eff.org/deeplinks/2025/10/flock-safety-and-texas-sheriff-claimed-license-plate-search-was-missing-person-it>. See also *ACLU of Connecticut and Allies Demand Statewide Pause on Automatic License Plate Readers Amid Concerns of Data Sharing with Other States and ICE*, ACLU OF CONNECTICUT (Nov. 10, 2025), <https://www.aclu.org/press-releases/automatic-license-plate-readers-moratorium/>.