



CRR Opposes Colorado's Personhood Initiative: Measure Would Ban Abortion, Restrict Other Reproductive Healthcare, and Impact Thousands of State Laws

The Center for Reproductive Rights opposes Colorado Proposed Amendment 62, which would amend the Colorado Constitution to define the word "person" to include "every human being from the beginning of the biological development of that human being." The measure seeks to make fertilized eggs, embryos and fetuses "people" under Colorado law.

Amendment 62 is intended to completely and absolutely ban abortion, with no exceptions. This measure would directly conflict with the United States Constitution: The Supreme Court of the United States has clearly held that constitutional rights do not extend to fetuses or embryos and that neither legislatures nor courts can rely on a particular theory of when life begins to prohibit a woman from exercising her right to terminate a pregnancy prior to fetal viability.

Colorado voters faced this proposal once before in 2008 and resoundingly rejected it. In fact, no state has ever enacted such an extreme and restrictive law. Nonetheless, a small group of radical anti-choice activists have put it back on the Colorado ballot this November.

If this amendment is approved, the impact could be wide ranging and extreme. By outlawing abortion, supporters of the measure hope that a test case will go up to the Supreme Court and that the Justices will reconsider, and overturn, *Roe v. Wade*, the landmark decision that extended constitutional protection to a woman's decision to have an abortion, thereby not only upholding the Colorado law, but allowing states across the country to enact similar abortion bans.

At the same time, the amendment could impact a wide range of medical care, including many common forms of contraception, in-vitro fertilization, stem cell research, and medical treatment of pregnant women. Hormonal contraception that prevents the implantation of a fertilized egg could be banned. Physicians would likely stop performing in-vitro fertilization, in part because the process involves the creation of some embryos that are ultimately discarded or damaged. The measure could create a legal quagmire for any doctor who needed to provide medical care to a pregnant woman if that care might endanger an ongoing pregnancy.

In addition, this amendment could criminalize any conduct that might harm a fetus. Pregnant women who suffered complications or miscarriages could be subject to criminal investigations and possibly jail time for homicide, manslaughter or reckless endangerment. Moreover, because so many laws use the terms "persons" or "people," the amendment would also impact thousands of unrelated laws, leading to unforeseeable and unintended consequences.

The Center for Reproductive Rights strongly opposes this proposed amendment, which would unconstitutionally restrict women's ability to control their reproductive lives, and encourages Colorado voters to vote No on Amendment 62 on November 2, 2010.

For more information on opposing Amendment 62 and how to get involved, please visit the No on 62 Campaign at <http://www.protectfamiliesprotectchoices.org/>.