

2023 April 14

Colorado Bishops Letter to the Faithful on 2023 Colorado Abortion Legislation

Dear Brothers and Sisters in Christ,

Despite enacting the tragic Reproductive Health Equity Act (RHEA) in 2022, which codified a “fundamental right” to elective abortion for the full 40-weeks of pregnancy, today Governor Polis signed into law three more extreme abortion bills. One of these bills even removes a woman’s ability to *choose life* for her unborn child through Abortion Pill Reversal. By enacting SB 188, SB 189, and SB 190, Governor Polis and the near-veto-proof majority of pro-abortion lawmakers in the General Assembly are telling Coloradans that they prioritize abortion over life-affirming reproductive healthcare decisions for women, at the expense of the mother’s health and, even more grave, at the cost of countless children’s lives.

The three abortion bills codify into law the following things:

[SB23-190 Prohibiting Deceptive Practices at Anti-Abortion Centers](#)

- Eliminate a woman’s *choice* to sustain her pregnancy and save her child’s life through Abortion Pill Reversal (APR) by effectively *banning* the treatment;
- Restrict and censor the good work Pregnancy Resource Centers do for our community.

[SB23-189 Increasing Access to Reproductive Health Care Services](#)

- Circumvent Colorado’s constitutional prohibition against public funding of abortion by requiring insurance providers to cover the full cost of abortion;
- Increase access to contraception and abortion referrals to minors under 19 years of age and remove the parental notification requirement.

[SB23-188 Protecting Health Care Patients, Providers, and Assistors](#)

- Violate the First Amendment rights of medical professionals and medical centers/hospitals that do not provide abortion-related services or “gender-affirming care;”
- Violate the First Amendment rights of employers who do not provide abortion-related services or “gender-affirming care” in their insurance plan;
- Restrict legal action against Colorado from states with pro-life laws.

As SB 188, SB 189, and SB 190 quickly made their way through the legislature, there was a strong outcry against each bill. Thousands of Coloradans wrote to their lawmakers and hundreds testified against the bills— especially against SB 190, which was debated until midnight. Hundreds more rallied for life at the Capitol during a Spring snowstorm on the one-year anniversary of RHEA (April 4), organized by the growing [Pro-Life Colorado coalition](#) of over 36 pro-life organizations. Over 60 representatives from Pregnancy Resource Centers came to the Capitol from across Colorado to advocate for life and against the abortion bills for an inaugural [Pregnancy Resource Center Day](#). They shared information on the compassionate care they offer their communities at no cost, including material items like diapers, clothing, and formula, counseling, and some even offer medical care. Pro-life lawmakers nobly fought against these bills on the House and Senate floors for many hours and through weekends. We are thankful for these courageous leaders and pro-life advocates.

The sponsors of the RHEA argued the law was designed to make Colorado an “abortion destination” for neighboring pro-life states. This proved to be true, as [data show](#) a monthly increase in surgical abortions in Colorado following the *Dobbs v. Jackson Women’s Health* (2022) decision. However, this year’s abortion bills, referred to as “RHEA 2.0,” go even further than making Colorado an abortion destination. They remove the “choice” for women to choose life and violate the First Amendment rights of all Coloradans, healthcare providers, employers, and pregnancy centers.

For instance, SB 190, effectively bans the prescription of [Abortion Pill Reversal \(APR\) treatment](#) by considering it “unprofessional conduct” if a medical provider prescribes APR and making that medical decision “subject to discipline.” By doing this, Colorado is eliminating the choice of a woman to save the life of her child and continue her pregnancy after she ingests the first abortion pill, mifepristone. This is in the wake of the April 13 Fifth Circuit Court of Appeals decision to uphold the suspension of mail-order abortion pills and the Food and Drug Administration (FDA) approval of mifepristone.¹ Ironically, the proponents of SB 190 argued that the APR treatment was unethical because of its lack of FDA approval, [despite 50 years of evidence](#) proving APR is *safer* than mifepristone alone. APR is simply a large dose of natural progesterone, the “pro-gestation” hormone, prescribed by a licensed medical provider to outcompete the life-ending effects of chemically induced abortion for the baby. Babies who have been born to mothers who have taken progesterone during pregnancy are healthy and strong. **Colorado is the first state to eliminate this choice of life for women.**

SB 190 also censors the good work of Pregnancy Resource Centers (PRC) for our community. In Colorado, there are more than 50 PRCs that serve thousands of women and families annually (compared to 20 abortion facilities). All three Colorado dioceses operate several pregnancy centers and ministries that care for women and families before and after their child is born. For example, the Archdiocese of Denver’s [Marisol Health](#), part of Catholic Charities, provides a continuum of care for more than 2,000 clients annually, the Diocese of Pueblo hosts [19 Caring Pregnancy Centers](#) that serve over 1,500 families annually, and the Diocese of Colorado Springs supports [Life Network's](#) pregnancy centers and is in the process of building a new maternity home, [Mater Filius](#), that will house and support pregnant and homeless mothers.

Thankfully, following the signing of SB 190, the Becket Fund for Religious Liberty, a non-profit law firm based in Washington, D.C., filed a [lawsuit](#) against the state of Colorado on behalf of [Bella Health and Wellness](#), a Catholic healthcare clinic offering obstetrics-gynecology care as well as family medicine, pediatrics, and functional medicine. Among other things, the complaint argues that SB 190 violates the First Amendment by singling out healthcare clinics that have a religious obligation to provide life-affirming care to pregnant women who seek out their help. This not only burdens the religious exercise of clinics like Bella Health; it also targets women who have changed their minds about abortion, forcing them to undergo abortions they seek to avoid. The complaint asks the court to strike the law down and Becket also asked the court to grant a temporary restraining order seeking immediate relief from SB 190.

The Colorado bishops applaud and support this [legal effort by Becket and Bella](#),² which affirms the First Amendment rights of pregnancy centers and the ability of medical providers to freely prescribe APR treatment as a life-affirming option for women in Colorado.

The other two bills, SB 188 and 189, also have serious First Amendment violations, including forcing all Coloradans to pay for abortion in their insurance premiums, violating parental rights by removing parental notification if their minor receives an abortion or abortion referral, and forcing private

¹ Alliance Defending Freedom, “5th Circuit ends FDA’s illegal mail-order abortion regime,” 2023 April 13, <https://adfmedia.org/press-release/5th-circuit-ends-fdas-illegal-mail-order-abortion-regime>

² Becket Fund for Religious Liberty, “Catholic healthcare clinic fights to serve pregnant women in need,” 2023 April 14, <https://www.becketlaw.org/media/catholic-healthcare-clinic-fights-to-serve-pregnant-women-in-need/>

employers pay for and medical centers to perform abortion and so-called “gender-affirming care.” We will also support filings against these unjust laws.

While most states in America enact laws to protect and affirm the sanctity of life for the unborn, Colorado joins a minority of 12 states in making abortion *even more extreme* than the federal precedent that was overturned in *Roe* (1973) and *Casey* (1992). It causes us profound sadness and distress to know that some Catholic legislators voted for this.

[As we previously stated after the enactment of RHEA](#), we, the bishops of Colorado, have a strong desire to discuss the spiritual and cultural impact of laws like RHEA with politicians of both parties, and especially those who say they are Catholic and who represent people in our state. As their shepherds we want to ensure that they understand the Church’s teaching on receiving Holy Communion and the proper spiritual disposition for doing so.

Until public repentance takes place and sacramental absolution is received in Confession, we ask that those Catholic legislators who live or worship in Colorado and who have voted for either RHEA or these three new abortion bills SB 188, SB 189, and SB 190, voluntarily refrain from receiving Holy Communion.

Over 63 million children have been killed by abortion in America since *Roe*. While [we applaud the June 2022 Dobbs decision](#) overturning the unjust precedent, Colorado has become even more extreme by codifying abortion up-to-birth for any reason (RHEA) and now eliminating the choice of women to sustain their pregnancies. These laws violate the consciences of the 63 percent of Coloradans who do not support unrestricted abortion, those who do not want to pay for abortion through their insurance premiums, and by penalizing health care providers who object to abortion and “gender-affirming care.”

We, the Catholic bishops of Colorado, and our three dioceses are committed to do our part to advocate for the sanctity of life, freedom of conscience and expression, and will continue to assist pregnant mothers and families experiencing unexpected pregnancies through the ongoing expansion of medical services, housing, counseling, and resources, both during their pregnancy and after.

Sincerely yours in Christ,



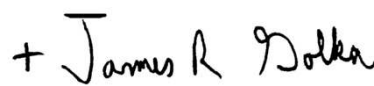
Most Reverend Samuel J. Aquila
Archbishop of Denver



Most Reverend Stephen J. Berg
Bishop of Pueblo



Most Reverend Jorge H. Rodriguez
Auxiliary Bishop of Denver



Most Reverend James R. Golka
Bishop of Colorado Springs