

To: South Dakota Right to Life

From: Ingrid Duran, Director of State Legislation, National Right to Life Committee

Date: February 4, 2026

RE: NRLC Urges the South Dakota Legislature to Oppose South Dakota H.B. 1212

National Right to Life (NRLC) has been at the forefront of the effort to protect innocent human life in the United States since 1968. No other organization has such a long and proven record of advancing life-saving policies at both the national and state levels. Pro-life hero Henry Hyde, architect of the Hyde Amendment, correctly called National Right to Life the “flagship of the pro-life movement.” That legacy is earned. Through decades of tireless work, National Right to Life has helped pass laws that protect unborn children and save lives in real and measurable ways.

To this end, NRLC and its national grassroots network have continually approached this mission with compassion. Just as we have opposed the injustice of abortion itself, we have also consistently opposed policies that would criminally punish women. For more than fifty years, NRLC, its affiliates, and the broader pro-life community have been clear and consistent in both our moral convictions and our strategic approach.

As former NRLC President Dr. Jack Wilke taught, our charge is to “love them both.” We echo the words of Mother Teresa of Calcutta, who repeatedly reminded the world that unborn children and their mothers are both victims of abortion. More bluntly, Charlie Kirk publicly criticized proposals to punish women, describing such approaches as “unreasonable” and “cruel.”

While the abortion industry, its political allies, and many in the media have long sought to pit mothers against their unborn children, those who truly respect human life must refuse to fall into this trap. That is why, in 2022, prior to the Dobbs decision, a broad coalition of leading pro-life organizations released a joint statement rejecting any effort to criminalize women. That letter can be found here: <https://nrlc.org/uploads/communications/051222coalitionlettertostates.pdf>

Although H.B. 1212 purports to protect unborn children who are already protected under South Dakota's trigger law, in practice it creates a legal framework that could be used to prosecute pregnant women for murder while allowing abortion providers who violate the law to evade accountability.

This approach, which targets post-abortive women is morally wrong and harms the cause of life. It undermines the vital work of pregnancy help centers that exist to support women and families, and it threatens to undo decades of pro-life policy advancements achieved through principled and compassionate advocacy. H.B. 1212 is not the way forward.

NRLC strongly urges the South Dakota Legislature and the Governor to not advance H.B. 1212.