



*Testimony submitted to the Joint Committee on the Judiciary
In support of S.805 An Act relative to archaic crimes
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The League of Women Voters of Massachusetts supports S. 805 An Act relative to archaic crimes. Repealing outdated and unenforceable laws improves the public's respect for the laws that remain on the books.

This bill would repeal laws on birth control, abortion, and sexual activity that are outdated and no longer enforced, so there is no chance anyone could cite these laws to take actions such as challenging an abortion clinic's advertising or the ability of a college health service to provide birth control. Leaving these laws in place sends a signal to voters that the Commonwealth does not care enough about women's health to repeal them. Furthermore, several of the archaic crimes to be repealed by this bill are outmoded attempts to regulate the private sexual behaviors of Massachusetts residents.

The Massachusetts League's strong belief in the freedom of reproductive choice dates back to the position adopted in 1972 supporting the "freedom of individuals to make informed reproductive decisions based on their own convictions and beliefs" that later was adopted by the League of Women Voters on a national level.

In addition, this bill would repeal laws that affect the rights of people experiencing homelessness. It is a principle of the League of Women Voters that "no person or group should suffer legal, economic or administrative discrimination," and it is a stated goal of LWVMA to support a government that "protects individual liberties established by the Constitution."

The sections of this bill would change the following laws:

Section 1: Repeals law calling for a prison term and fine for committing adultery.

Section 2: Repeals law against "fornication," which is not defined.

Section 3: Repeals the law prohibiting any advertising or information about obtaining an abortion or prevention of pregnancy.

Section 4: Repeals the law outlawing and establishing a prison term for selling, lending, giving away or exhibiting any drug, medicine, instrument or article for prevention of conception or for causing an abortion; or for publishing any type of information on where such items can be purchased; or for manufacturing those items.

Section 5: Repeals the law that permits sale of contraceptives only to married couples.

Section 6: Removes prohibition on "crimes against nature" applied to humans but adds prohibitions against sexual abuse of animals.

Section 7: Repeals the law prohibiting blasphemy.

Section 8: Repeals the law against begging by “tramps.”

Section 9: Repeals the law against “tramps” entering buildings, threatening people or carrying a weapon.

Section 10: Repeals the law allowing arrest of “tramps” without a warrant.

Section 11: Repeals the law against begging by “vagrants.”

Section 12: Repeals the law allowing arrest of “vagrants” without a warrant.

Section 13: Repeals the law defining a “vagabond” and allow for arrest.

Section 14: Repeals the law allowing arrest of “vagabonds” without a warrant.

We urge the Joint Committee on the Judiciary to update our state’s laws and to report this bill favorably and work for its passage this session.

Thank you for your consideration.