

## Proponent Testimony on House Bill 78

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When I first heard about this piece of legislation, my first instinct was to not support it. I wanted abortion stopped completely and didn't want to support anything that left any part of abortion legal. However, abortion is legal in our country because of the way the United States Supreme Court has interpreted the constitution and a woman's right to privacy in all challenges since abortion was first made legal in 1973. With each successive case brought before the court, states were given more control over abortion practices while still upholding the basic right to abortion. I realize now that HB78 is the best chance we have of at least saving the life of the unborn in Ohio who the Supreme Court agrees are "viable", or who could possibly survive outside of the womb with a premature delivery.

It is important for our states to also recognize that our constitution was established to secure the "*blessings of liberty to ourselves and our posterity*", which means it was not just written for the people born at the time, but for those people yet to be born. In strict interpretation, abortion then violates the legal rights of those unborn who are terminated while still in the womb. Both the 5<sup>th</sup> and the 14<sup>th</sup> amendments create a constitutional right to life for "persons." If Roe v Wade were overturned on the basis that an unborn child is a "person", then their lives would be protected and abortion would be ended forever. There is no other basis to support unborn life in the constitution other than this. I'm positive that the framers of the constitution did not anticipate that pro-abortion advocates would argue that human life in its earliest stages of development is not human, and therefore cannot be protected as a person. Most legal experts, however, say that if Roe v Wade is ever overturned it would be because the constitution says nothing specifically about abortion, thereby giving the power to the states. In this case, laws could vary extremely from state to state. As Ohioans, we should be prepared for this possibility and create strong laws now.

At present, the constitution does not allow for states to limit abortions in cases where the unborn human life is not "viable." (*The statement about viability itself is ludicrous. Is a person dependent on medication, dialysis, life support, etc. considered non-viable? Should they be denied life like those who are aborted because they cannot survive without a mother's womb?*) As a state we can prohibit access to late term abortions except when necessary to prevent the death of the mother or a serious risk of the substantial and irreversible impairment of a major bodily function. HB 78 takes advantage of this opportunity and prohibits abortions after 20 weeks. The earliest known survivor of premature birth was born at 21 weeks of development, and medical science is improving all the time. HB78 focuses on the protection of the unborn life by requiring first that a second opinion be obtained before performing any procedure, and that a method of delivery most likely to result in a live birth would have to be used. The bill further states that a second physician would have to be present to care for the child when it is born.

To fully understand the difference that this bill would make, you need to understand that late term abortions are legal in all 50 states, mostly because of a June 2000 decision of the Supreme Court allowing the killing of full term child up until the moment of delivery. While the barbaric practice of partial birth abortion is no longer condoned, the court still allows other methods to be used, such as dismemberment in utero, and more. Pro-abortionists contest that late term abortion is extremely rare, yet from their own statistics provided by the Alan Guttmacher Institute, it occurs on an average of twice a day in Ohio.

In a medical emergency to save the life of the mother, abortion should not be considered the only answer. In 2004 in Chicago, my daughter was 25 weeks pregnant and suddenly developed a severe case of pre-eclampsia. This condition caused by the pregnancy raised the mother's blood pressure to dangerous levels, and among other things, can cause the mother's kidneys to slow or stop functioning. The only way to save her life is to terminate the pregnancy. In my daughter's case, she went from having a normal pregnancy to almost dying in a matter of a few hours. The attending physician told my daughter and son-in-law that he needed to terminate the pregnancy or she would die. The difference in this case is that she had been transported to a Christian hospital where an emergency C-section was performed and my grandson was able to be born alive weighing slightly under 2 pounds, three months early.

Despite the hurdles of surviving outside the womb, my grandson is now a healthy and normal seven year old.

For 38 years, the Supreme Court has relied on the ambiguous testimony that there is no proof as to when life begins, turning this into a philosophical or religious debate. In actuality, the nation's top expert scientists, embryologists, doctors and others in these fields have provided non-philosophical and/or non-Christian related testimony and concrete scientific proof as to the beginning of life occurring at fertilization, starting off the process of development that continues until death occurs. From the moment the cells divide, the stages of human development are set in motion...going from human cells, to human embryo, to human fetus, to human baby, to human toddler, to human child, to human teenager, to human adult and on and on. There is no magic line in between any stages to differentiate that any one stage is any less human than the other. If that was the case, then a baby would have fewer rights under the law than an adult. Pro-abortionists state that the life that occurs between conception and birth is only potential life, and not human. It completely amazes me that this argument could even exist and that we have exterminated more than 52 million lives through abortion since 1973. Life is life, no matter at what stage of development. Prior to birth, it is still life, and it is not subhuman. The last time anyone called life sub-human in order to terminate it was in Germany in the 1930's.

Until we can change our constitution's definition of "person" to reflect all human life, we have an opportunity in Ohio to save the lives of at least some who would otherwise die at the abortion clinic. HB 78 gives us the vehicle to do this. Just because something is currently legal, does not make it right. Just like slavery and segregation, we need to change the laws to protect ALL human life. Please support this legislation and make Ohio a leader in respecting and protecting all stages of life.

Should you have any questions about my testimony, please feel free to contact me at 330-923-8253, or by e-mail at [deniseleipold@neo.rr.com](mailto:deniseleipold@neo.rr.com).