



Jessica Warner

Proponent Testimony on Senate Bill 23

House Health Committee

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Chairman Merrin, Vice Chair Manning, Ranking Member Boyd, and members of the committee, thank you for allowing me to testify today on Senate Bill 23. My name is Jessica Warner and I am the Director of Legislative Affairs for Ohio Right to Life. Today, I speak on behalf of our Board, affiliated chapters, and members in support of Senate Bill 23, the Human Heartbeat Protection Act.

As you may remember, Ohio Right to Life was neutral on the Heartbeat Bill for a number of years. This was not because of the intent of the legislation but solely due to the position and make-up of the Supreme Court at that time. As you know, President Trump has nominated two new pro-life justices who now are members of the court. We believe that the Supreme Court today is the most pro-life court we have seen in generations, and that is why our organization stands before you today in support of SB 23.

In that vein, over the past eight years Ohio Right to Life has worked tirelessly on incremental legislation that would save lives. In 2011, we passed the Late Term Abortion Ban, our first major scale back of abortion-on-demand in Ohio. In 2016, we passed the Pain-Capable Unborn Child Protection Act, which banned abortions at the point where it is scientifically proven that unborn babies feel pain. This law puts Ohio effectively outside the bounds of *Roe v. Wade*. This piece of legislation has not been sued on, because abortion-friendly groups realize that they would most likely lose. Last year, we passed the Dismemberment Abortion Ban, which bans a particularly barbaric abortion procedure in which the abortionist first dilates the woman's cervix and then uses steel instruments to dismember the living, unborn baby. And now, we see the Human Heartbeat Protection Act as the next incremental step in our mission to end abortion in Ohio.



For 46 years, we have lived under the standard that *Roe v. Wade* has set, that abortion can only be restricted at the point of viability. But, as you heard Sen. Roegner speak about last week, the standard of viability is vague and changes, both from year to year, and from location to location. Supreme Court Justice Sandra Day O'Connor once said in her dissent in the case [Akron v. Akron Center for Reproductive Health](#), that “the *Roe* framework... is clearly on a collision course with itself.”

For that reason, it is time that we consider a new standard. In most medical situations, a heartbeat indicates the presence of life. There is no reason that, in the situation of whether a fetus deserves the right to life or not, that a heartbeat should not be recognized as the presence of life. According to recent medical research, it has been determined that once an unborn child possesses cardiac activity, its chances of surviving to full term are between 95%-98%. The presence of a heartbeat in an unborn child is a consistent standard that does not change due to the availability or advancement of medical technology.

Government exists to protect those who cannot protect themselves, the most vulnerable in our society. If we are to establish a point at which this protection of life begins, shouldn't it be a clear and universally applicable standard? If we are going to decide when life deserves protection, shouldn't we at the very least draw that line in a way that doesn't treat you differently depending on where and when you were born? This is exactly what the Human Heartbeat Protection Act does. It establishes a clear and understandable standard.

This bill would ban abortions after a fetal heartbeat is detected via an abdominal ultrasound. This is generally between 8-12 weeks gestation. According to a recent Marist Poll, 75% of Americans support limiting abortions to at least 12 weeks gestation. While this bill has been mischaracterized as extreme, we can see from studies again and again that the majority of



Americans, and certainly Ohioans are pro-life and at the very minimum want common sense limits on abortions as this bill creates.

Today you have heard and are going to hear from several other perspectives and why they each support this legislation. We have doctors, nurses, lawyers, women who have had abortions, and doctors who have performed them. Please also be sure to pay attention to the submitted written testimony from experts who couldn't be here in person today. Each of them has a powerful and important story to tell.

Finally, I want to close with how encouraged and excited we are to see the progress we have made *together* in the past nine years. Abortions are down 25%, 21 pro-life initiatives passed into law, and half of the state's abortion facilities shuttered. One abortion is too many, but we can be grateful that we have seen this pro-life progress, especially when comparing our states to the likes of New York, Virginia, and Rhode Island. With the advent of Governor Mike DeWine's administration, there is much yet to come in terms of pro-life progress.

So on behalf of Ohio Right to Life, I ask that you vote in favor of Senate Bill 23 to continue to protect life of the most vulnerable in Ohio.