

Testimony of Abel R. Ferguson
Citizen of Franklin County, OH
House Health Committee
Senate Bill 23
April 2, 2019

Chairman Merrin, Ranking Member Boyd, and members of the House Health Committee, my name is Abel Ferguson and I live here in Columbus. I am here to testify against SB23.

I am frustrated, angry and disappointed that my elected officials continue to present, pass, and defend these clearly unconstitutional bills in a manner akin to throwing a bucket of darts in hopes that one sticks. The, historically, constant and consistent attempts to legally control our health and body autonomy is atrocious and dangerous.

I am a permanently disabled US Navy veteran, sworn to uphold, protect, and defend our constitution and the rights it affords, just as each of you are. Our right to make decisions regarding our health care, and unburdened access to the same, is fundamental in terms of body autonomy as well as privacy.

Growing up, sex education of any kind was legally prohibited in our schools. I received 'abstinence only' education in my evangelical church. There was no education at home. All I knew was the female body I was born with didn't belong to me and I had no right to knowledge or control of my own sex or reproductive health.

On my 18th birthday, in April 1990, I was 'put out' to 'grow up'. A friend of my father took me to another "friend". A 40-something year old man who turned out to be a 'pimp' of exotic dancers and daily cocaine user. Having been put out at home, having no homeless resources in my rural community, I had no choice but to stay. After only a week, this man approached me in a clearly sexual manner saying, "After all I've done for you..." Again, being young, fairly naive, and homeless, I had no choice. Eight weeks later-hear me-eight weeks later, I let him know something was wrong and I needed to go to the doctor. That day, I had a blood test and found out that I was pregnant. By the time I got back to his apartment, he was gone. I went to my family. My family sent me to The Florence Crittenton Agency - Home for Unwed Mothers. I couldn't tell you if abortion would have been an option for me at that time, as I didn't even know what that was and no one bothered to tell me. What I do know is that my 'support counselor' at the Agency told me, "You're not capable of love", among other awful things, at our weekly meetings. She also urged me to adopt the child out. In my mind, even though I knew I wasn't the best option, I also wasn't about to give a child over to someone so hateful and cruel. I was a uneducated, single, absolutely alone young woman, who, had I known it was an option, would have chosen abortion. I love my kid. I don't regret anything that happened in trying to make a

life for us. I was not emotionally, intellectually, financially, or physically capable of providing for her in any kind of meaningful way and I knew it. There were limited resources, and incredible shame pushed on those who utilize them-especially for a woman with a bastard child. The lack of option to terminate that pregnancy subjected us both to a very difficult, lonely, transient, detached existence in less than adequate housing. Bills like SB23 does nothing to help young pregnant people that are in these situations-even if I knew about abortion, I didn't know about the pregnancy in time for it to be legal under this bill.

Fast forward to 2003. I'm stationed onboard a ship in Japan, living in an apartment with my fiance'. At this point, I've been having issues with my reproductive system and had opted to use IUD for birth control so we wouldn't have to worry about dealing with pregnancy until we were settled. Having been using them for 5 years already, the IUD had stopped my period. In July, the IUD was replaced and in August, I returned to TN to await my mid-December discharge and plan our January wedding. When it got close to my discharge date, around Thanksgiving, I realized, I'd put on weight and my dress uniform didn't fit. I was also dealing with evening nausea, which I attributed to all the stress. Between the weight and the nausea, I made an appointment with my physician.

After the ultrasound, and given the undoubtable timeline, I was told that I was 17 weeks pregnant and the baby wasn't developing properly. The IUD-improperly inserted-was still in place, in my uterus, with the fetus. The laws, similar to this bill, would not allow me to have an abortion performed-there was a heartbeat, I was beyond 8 weeks, and it wasn't considered a medical necessity or emergency. It didn't matter that there was absolutely no way the fetus would develop enough to be a child. It was very doubtful that it would survive to birth. It was malformed and tiny, there was no discernable movement and it would die. Just like my first pregnancy, I had no choice. Laws like SB23 forced me to carry a fetus that would die, most likely while it's still in my body. I carried that fetus for another 8 weeks, until my weekly appointment on January 10th, where I learned there was no longer a heartbeat and the remains needed to be removed.

Again, the ridiculous laws, similar to SB23, prevented my obstetrician or the local hospital from performing the specific procedure I needed. It had to be done in a place designated for abortions. So, two days before my soon-to-be husband was scheduled to arrive from Japan to be wed, I went, alone, to the designated clinic. There was a protest that day. I was called a murderer, a slut, and a baby killer among other vulgar things. Someone threw a pocket New Testament at me.

Once inside, the intake nurse did what the law said she had to, again, what SB23 requires. Even knowing my baby was dead inside my body, she had to give me a pile of pamphlets and verbally confirm my understanding of "alternative options" to aborting the fetus. Due to the late stage, I

was also required to have this conversation again with the performing physician and sign legal documents. I'm grateful that doctor decided to 'estimate' the term of the pregnancy, because even with it being dead, there was a limit and, technically, I would have been almost 2 weeks past that. If he had not 'estimated' my term, I would have had to wait until that fetus began to rot in order to have it removed. I would have had to wait until I was nearly dead.

These types of laws put pregnant people in nearly impossible, and potentially dangerous, situations. Most don't even know they are pregnant at 6 weeks-I was 8 weeks and 16 weeks when I found out. Forcing medical staff, under all circumstances, to "provide alternatives" to abortion are cruel in the majority of situations that lead someone to seek abortion care. Attempting to impose criminal charges and fines will leave pregnant people with 'bottom of the barrel' providers, as legitimate physicians are likely to opt out of providing care with that level of risk.

Even young, naive me knew that there should be other options besides turning a child over to, basically, baby sellers or raising it when you know you can't provide. Pregnant people faced with the already heartbreaking situation of a failing/failed pregnancy should not have to endure the atrocious beratement and blatant shaming frequently received in seeking care.

I'm a strong man. I've had quite the journey. I've been raped and beaten. I've been in combat. I've even killed a man. Nothing in my life has been as difficult as the way I was treated in losing my son and knowing that my daughter now struggles from childhood memories, both absolutely and totally due to the choices I had and-more importantly-didn't have due to bills like SB23.

Your constituents deserve accurate information, real choices, and the ability to discern what's best in their situation. I vehemently oppose SB23 and urge you to vote "no".