

Testimony of Meg Wittman
Proponent - S.B. 23 - The Heartbeat Bill
Ohio House Health Committee - April 2, 2019

Chairman Merrin, Vice Chair Manning, Ranking Member Boyd & members of the committee thank you for allowing me to testify today in support of Senate Bill 23, the Ohio Human Heartbeat Protection Act.

My name is Meg Wittman, and I am the Executive Director of Cincinnati Right to Life – a decades old organization founded by pro-life warriors Jack and Barbara Willke. Cincinnati Right to Life is part of the Right to Life Action Coalition which is a statewide network of organizations who stand together to uphold protections for defenseless unborn life.

Recently, a woman wrote an opinion piece in the Cincinnati Enquirer about aborting her child during the second trimester. She was told by doctors that her baby had a genetic condition that was going to kill the baby if not before birth, then very soon thereafter. The woman was told her health might be in danger as well. No doubt, situations like these are horrific and terrifying, but I couldn't help but notice that throughout the article, the mother kept using the word baby – not fetus, not clump of cells – baby. She knew she killed her baby and she closed the article by saying that all women should have that choice. But, what if we applied that logic to 1-year olds that are dying of congenital abnormalities, or 10-years olds who want to commit suicide, or 15-year olds who are dying of cancer? The concept is essentially the same – I am your mother and guardian on whom you are dependent – therefore, it is my CHOICE whether you live or die.

I stand today in defense of all human life at all stages. I stand today in support of Ohio's Heartbeat Bill.

Senate Bill 23 is an important bill in many ways. Foremost, it offers the strongest legal protection of defenseless unborn human life that our state has considered, by prohibiting abortions upon the detection of a fetal heartbeat.

It is this provision which seems to be drawing the most attention and the most objection from those whose business success thrives on terminating

defenseless lives. This committee will likely be told by opponents that this bill is “unconstitutional”. However, this obscures a simple fact—the US Supreme Court has been moving in a direction with cases post-Roe that call for optimism and indicate opportunity for bold, decisive protections to be put in place by state legislatures.

The Ohio Department of Health statistics on abortion show that in our state 20,893 abortions were committed in 2017. It is estimated that this bill will legally protect thousands of those unborn Ohioans by prohibiting abortions being performed when a heartbeat can be detected.

I would like to share information from attorney Walter Weber, senior counsel for the American Center for Law and Justice, who testified on previous iterations of this bill. He says,

“Critics argue that this prohibition is incompatible with repeated Supreme Court precedents disallowing either bans or “undue burdens” on abortions done prior to fetal “viability.” Nevertheless, the Supreme Court’s precedents contain as well the strands of a more life-protective jurisprudence. As far back as *Doe v. Bolton*, 410 US 179, 191-92 (1973), the companion case to *Roe v. Wade*, 410 US 113 (1973), the Supreme Court upheld a law that prohibited any abortion that was not “necessary”.”

“Much later, in *Gonzales v. Carhart*, 550 US 124 (2007), the Court ruled that precedent it assumed to be controlling ‘confirms the State’s interest in promoting respect for human life **at all stages of the pregnancy,**’ *id.* At 163 (emphasis added). As Justice Kennedy wrote in dissent in *Stenberg v. Carhart*, 530 US 914 (2000), a dissent subsequently vindicated in *Gonzales*, ‘States also have an interest in forbidding medical procedures which, in the State’s reasonable determination, might cause the medical profession or society as a whole to become insensitive, even disdainful, to life, including the life of the human fetus.’ *Stenberg*, 530 US at 961.”

I submit that all reasonable minds can agree that acquiescing to the killing of a living unborn human child with a beating heart qualifies as ‘insensitive, even disdainful, to life.’

It is estimated that 1/4- 1/3 of my own generation has been killed by abortion. In the United States, over 60 million babies' heartbeats have been silenced forever since 1973.

It is an undeniable fact that a heartbeat indicates life.

This is indeed what we are talking about at the 'heart' of this bill. And this is why our Cincinnati Right to Life and the Right to Life Action Coalition of Ohio strongly support our state, through you our elected officials, taking that interest in the life of the human fetus seriously enough to legally protect thousands of our fellow citizens whose beating hearts bear witness that they are just as alive as you and I, and just as equally deserving of legal protections upon that life.

Senate Bill 23 does just that, and so we respectfully request that this committee adopt this bill. It is not our CHOICE whether any human, born or unborn, gets to live or die. Thank you for your kind attention. I would be happy to try to answer questions you may have.