

SB23 Interested Party Testimony

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Representing Equal Protection for Posterity

Ohio House Health Committee

March 19, 2019

Chairman Merrin, Vice-Chair Manning, Ranking Member Boyd, and Members of the House Health Committee,

Thank you so much for this opportunity to provide written testimony about SB 23 and behalf of ending abortion in Ohio. I represent Equal Protection for Posterity and America's Party, organizations whose motto is "Securing the blessings of liberty for ourselves and our posterity." I strongly believe in defending the Constitution and its provisions to protect our God-given rights. It is that desire to protect individual liberties that has made me an activist to abolish abortion.

Legislators have sworn to protect and defend the Constitution. The Constitution clearly provides protection for life. Recall how the Constitution outlines the three branches of government. Laws are made by the Legislative branch; they are not made by the Judicial Branch. Thus, any decisions made by the Supreme Court are not law, and consequently, *Roe v. Wade* is not law. Recall that the Supreme Court once ruled in favor of slavery, and we all know that to be illegal today. Therefore, to state that *Roe v. Wade* is "law" is to succumb to the fallacy of judicial supremacy. Instead, we should look at what the Constitution states in defense of life. The 5th amendment states, "No person shall be deprived of life without due process of law." The 14th amendment states, "No State shall deprive any person of life without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." The law of the land is "Do not murder." Together, all of this reminds us that in legislators' role to support and uphold the Constitution, they must support and defend human life. SB23 should not acknowledge that *Roe v. Wade* is "law".

How do we define life then? Life begins at conception with the formation of unique DNA. Therefore, I believe we should abolish all abortion. SB23 defines life based on the detection of heartbeat after conception. It is important to also emphasize that this life is separate from the mother. So any rights protected by the Constitution for the mother should also be extended to the child.

In this vein, it is critically important that we are mindful about how we characterize whether or not there is life within the mother's womb. SB23 defines this based on the detection of a fetal heartbeat. While based on currently standard medical procedure, this definition is a bit arbitrary. Only a generation ago, this was not standard procedure. Many of the Senators and Representatives currently in office, when they were in their mothers' wombs, were not observed with such an early ultrasound. With rapidly advances in medical technology, there may be some day a better method for identifying the person growing inside a woman's womb. The baby is alive before a heartbeat is detectable. Because the Heartbeat Bill essentially allows for abortion before a fetal heartbeat is detected, these are important issues to consider. Further, it is important to point out that in many instances, this method or other ultrasound methods are not foolproof. I have many friends and have heard testimonies of women whose babies' heartbeats were not detected in these early days of pregnancy, and/or some who were told their babies were not developing properly based on ultrasound. In some of these cases, these women were advised to abort. Fortunately, my friends waited it out, and gave birth to perfectly healthy babies. I cannot understate the importance of this aspect of the bill. We cannot allow potentially healthy babies to be murdered because of a faulty ultrasound. So much depends on the skill of the technician and their honesty. I defer to Mrs. Sarah Cleveland's testimony further on this point.

These points about detection of the baby's heartbeat are critical regarding the equal protections provided for unborn babies under this law. In the Senate hearings on SB23, there were many important points made in proponent testimony about protecting babies conceived under rape or incest. The central point is that babies conceived in these bad circumstances are no less human. This same argument should extend to all babies in general. If transvaginal ultrasound is not used, a baby's heartbeat might not be detected until as late as 12 weeks gestation because of a variety of factors. Thus, a baby might not be afforded equal protection by virtue of the method used to detect the baby (or not).

Lastly, I would like to conclude by appealing to your morality. Romans 1:20 says “For the invisible things of him from the creation of the world are clearly seen, being understood by the things that are made, even his eternal power and Godhead; so that they are without excuse.” What this means is, whether or not you believe or follow a Judeo-Christian God, morality has been written on your hearts. While the Bible clearly states “Thou shalt not murder”, that law is clearly written on everyone’s hearts. Furthermore, laws should be in place to protect people from harm, and abortion harms the unborn baby.

We live in an incredibly important time. While there are some states like New York and Vermont that are endorsing infanticide with late-term abortion bills, there are other states like Oklahoma, Kentucky, Arkansas, Iowa, and Indiana to name a few, that are proposing heartbeat bills, complete abolition bills, and/or life at conception bills. We in Ohio should strive to be like these latter states. The Declaration of Independence asserts,

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men... “

This Ohio congress is that government that has been instituted to secure our God-given rights. William Wilberforce, famed slavery abolitionist, said “You may choose to look the other way but you can never say again that you did not know.”

Thank you for this opportunity provide testimony.

Cathy Stein, Ph.D.