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February 18, 2018

To: Chairman Dave Burke
Vice Chairman Steve Huffman
Ranking Member Nickie Antonio
Members of the Senate Health, Human Services & Medicaid Committee

From: Aaron Baer
President, Citizens for Community Values

Re: Support of SB 23, the Heartbeat Bill

Chairman Burke, Vice Chairman Huffman, Ranking Member Antonio and Members of the Senate Health, Human Services & Medicaid Committee:

My name is Aaron Baer and I am the president of Citizens for Community Values, Ohio's Family Policy Council. Central to our mission is advocating for the inherent dignity of every human life, from its very beginning to natural death.

This is what I'm here to discuss with you today: dignity.

For nearly a decade the Ohio General Assembly has been debating the Heartbeat Bill. During this time, tens of thousands of lives have been lost – yet today, we have an opportunity to take steps to end this atrocity, and protect the dignity of unborn children and their mothers.

Critics of the Heartbeat Bill will often claim that if we protect the lives of these children, we are dooming them to a life of poverty and pain. But having worked in homeless shelters, and with hurting people, I can tell you that poverty and hardship in and of themselves do not rob people of dignity.

What robs Ohioans of dignity is looking at a child who may come into a difficult situation and saying they would be better off if they were never born.

The maliciousness of this argument can be best understood when you consider another crisis sweeping our state that is also claiming thousands of lives annually. The opioid epidemic. Consider this: in 2017, 20,893 lives were lost to abortion. In that same year, 4,854 lives were lost to drug overdose. Both nationally and locally, governments are spending millions to fight the opioid crisis – to save these lives lost to overdose.

Yet if we were to take the same posture towards fighting the opioid crisis as we take to fighting the abortion crisis, we would throw our hands up and walk away. After all, why should we fight to save the lives of these people? For many of them, there is only hardship, pain, and poverty ahead in life.



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I think everyone in this room recognizes how morally reprehensible this argument is – yet for some reason, many feel comfortable making the same argument about our most vulnerable Ohioans – the unborn.

And just like ministries and organizations that exist to help people out of poverty, and back on their feet on the other side of addiction, there are ministries and organizations across the state to help children born into poverty or hardship. This movement to fight abortion isn't just pro-birth, it's pro-child, pro-mother.

The bottom line is that government does not grant dignity. God does – it is inherent in every Ohioan across racial, political, and socio-economic lines. However government can steal away our dignity when it says that we are less than human.

This is what abortion does. It tells unborn children they are not worthy of life, and it tells women they are not strong enough to carry life.

As the Ohio General Assembly has made clear time and time again, it has a strong interest in protecting the dignity of all Ohioans, born and unborn.

In a letter to this committee, Dr. Lee Strang, visiting Fellow of the James Madison Program at Princeton Law, and professor at the University of Toledo College of Law, clearly spells out how that, as state lawmakers, you take an oath to uphold the Constitution, just as members of the U.S. Supreme Court take, and that under an originalist interpretation of the Constitution, the Heartbeat Bill is Constitutional:

“Every Ohio lawmaker takes an oath of office. Ohio law states: “The oath of office of every other officer . . . shall be to support the constitution of the United States”

He goes on to write

“The U.S. Supreme Court’s nonoriginalist interpretation that created a constitutional right to abortion does not bind Ohio lawmakers. The Supreme Court’s abortion precedents in Roe and Casey are nonoriginalist because they are inconsistent with the Constitution’s original meaning. Nonoriginalist precedents’ interpretations do not bind state lawmakers because they are not a proper exercise of federal power.

In our American system of federalism, states are independent sovereigns. Only to the extent the American People delegated authority to the federal government, and that authority has been properly exercised, are states constitutionally limited. Therefore, one must identify a source of constitutional authority that the U.S. Supreme Court lawfully exercised to constrain state lawmakers. Absent that, state lawmakers retain interpretive independence because the power they exercise is granted them by their state constitution and the citizens of their state. Because nonoriginalist precedents are incorrect interpretations of the Constitution, state lawmakers are not bound by them. Thus, the



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nonoriginalist interpretation of the Fourteenth Amendment in Roe and Casey is not binding on Ohio lawmakers.”

The question before the committee is simple: does ending the life of an unborn child before a heartbeat is detected rob that child of its basic human dignity? If so, as representatives of the state of Ohio who have taken an oath of office to the U.S. Constitution, you absolutely have the authority to enact this life-saving bill.

Please, support the Heartbeat Bill and send the message that Ohio believes every life is worth protecting.

Thank you for your time and consideration.

Citizens for Community Values (CCV) is a non-profit, non-partisan organization that endeavors to create an Ohio where God's blessings of life, family, and religious freedom are treasured, respected, and protected.

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