

March 23, 2015

The Honorable Clifford Rosenberger
Speaker of the Ohio House of Representatives
77 S. High Street, 14th Floor

The Honorable Timothy Derickson, Chairman
House Community and Family Advancement Committee
77 S. High Street, 12th Floor
Columbus, Ohio 43215

Speaker Rosenberger, Chairman Derickson, and members of the Ohio House of Representatives:

We, the undersigned Ohio organizations, formally express our support for House Bill 69, the Dr. John Willke Human Heartbeat Protection Act, introduced by Representatives Christina Hagan and Ron Hood. The vote on this measure will be scored on voter guides that are issued by each of our respective organizations. Any votes supporting amendments that would weaken or lessen the protections for defenseless unborn Ohioans in this bill will also be counted and published.

House Bill 69 offers the strongest legal protection of defenseless unborn human life in the United States. Given that Ohio Department of Health statistics on abortion in Ohio show that over 28,000 unborn lives were destroyed in 2010, with over 85% of those being unborn children of 12 weeks gestation or less, it is encouraging to see this bill moving in our legislature. It is estimated that this bill will legally protect over 26,000 Ohio citizens.

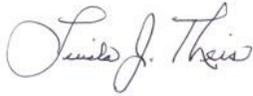
It is this provision which seems to be drawing the most attention and the most objection from those whose industry thrives on terminating defenseless lives. This committee has heard that the provision is “unconstitutional”. However, this obscures a simple fact—the U S Supreme Court has been moving in a direction with cases, post-Roe, that call for optimism and indicate opportunity.

Attorney Walter Weber, Senior Litigation Counsel for the American Center for Law and Justice, states it clearly: “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 U.S. 179, 191-92 (1973), the companion case to *Roe v. Wade*, 410 U.S. 113 (1973), the Supreme Court upheld a law that prohibited any abortion that was not “necessary”. Much later, in *Gonzales v. Carhart*, 550 U.S. 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 U.S. 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 life in the human fetus.” *Stenberg*, 530 U.S. at 961.”

We believe 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.”

We strongly support our state, through you our elected officials, taking that interest in the life in the human fetus seriously enough to legally protect over 26,000 of our fellow citizens whose beating hearts bear witness that they are just as alive as you and I are today, and just as equally deserving of legal protection of that life. We look forward to reporting your favorable consideration to our constituents.

Respectfully,



Linda Theis, President, Ohio ProLife Action, Inc.



Phil Burress, President, Citizens for Community Values Action



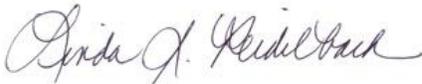
Barry Sheets, Executive Director, Institute for Principled Policy



Paula Westwood, Executive Director, Right to Life of Greater Cincinnati



Molly Smith, President, Cleveland Right to Life



Linda Reidelbach, former member, Ohio House of Representatives