



Jessica Koehler
Senate Bill 164
Senate Health, Human Services, and Medicaid Committee
August 22, 2017

Chairman Burke, Vice Chairman Beagle, Ranking Member Tavares, and members of the committee, thank you for allowing me to testify today in favor of Senate Bill 164. My name is Jessica Koehler and I am the Director of Legislative Affairs for Ohio Right to Life. On behalf of Ohio Right to Life and our statewide membership and affiliates, I am here today to speak in support of this legislation.

This legislation very simply would prohibit an abortion from being performed on an unborn child for the sole reason of a Down syndrome diagnosis. A study published by the National Center for Biotechnology Information and featured in the New York Times found that up to 90% of unborn children diagnosed with Down syndrome are aborted. While elective abortion is never the right choice, it's particularly egregious that unborn children can be denied life simply due to the presence of a possible disability.

According to the CDC, roughly 1 in every 700 children in the U.S. are born with Down syndrome annually, making it the most common chromosomal disorder. Down syndrome is not considered a severe disability. In 2011, the American Journal of Medical Genetics found that 99% of people with Down syndrome are happy with their lives. Many persons with Down syndrome are able to obtain an education, maintain employment, and live with varying degrees of independence. As medical and technological advances are made, these people will become increasingly self-dependent and productive citizens, changes that have already been seen in our lifetime. As Senator LaRose stated in his sponsor testimony, the life expectancy of a person with Down syndrome has increased dramatically from 25 years in 1983 to over 60 years today.

Recently, we have seen an increase in the use of prenatal screenings and invasive testing to diagnose potential health problems in unborn children. Amniocentesis and other prenatal tests



are designed to give correct results, however there have been several instances where false positives have occurred. With an increased prevalence of prenatal screenings, incidence of abortions based on these screenings have also increased. There is evidence that women who have received a test result indicating a disability in their unborn child *without undergoing diagnostic testing at all* chose to abort at greater numbers. The Boston Globe ran an exposé on this and other disturbing trends in prenatal testing in December, telling the stories of multiple mothers who had been given a false positive result for one or more disabilities in their unborn baby.¹

Even when the correct diagnostic tests have been performed and have confirmed a diagnosis, to abort in these circumstances is nothing less than the modern-day practice of eugenics. The idea of “improving the human population,” popularized by Margaret Sanger among others in the early 1900s, is alive and well today, and we seem to be unwilling to admit it. Abortions resulting from tests like these, which identify Down syndrome among many other disabilities, are discriminatory toward those with disabilities. It is that simple. How contradictory this seems to be, in a time where our culture so highly values diversity and works so hard to promote acceptance of the marginalized members of our communities.

In many circumstances, the United States prohibits discrimination against persons with Down syndrome, and the Americans with Disabilities Act –signed into law 27 years ago – creates certain protections for Americans with disabilities like Down syndrome. A few years ago, this very body passed legislation (House Bill 552) which provides expectant mothers and families better information about the resources available to them. It also facilitated connections to the many existing organizations whose mission it is to assist families of children with Down syndrome. How is it that we are so willing to make such accommodation for and to celebrate with the disabled among us, yet we so easily accept the arguments to end their lives before they are born? It is the worst form of discrimination to violently rob them of their opportunity even to live.

¹ Daley, Beth. (2014, December 14) Oversold Prenatal Test Spur Some to Choose Abortions. *The Boston Globe*. Retrieved from www.bostonglobe.com



People with Down syndrome have the same fundamental rights as all other human beings. They are as valuable to our society as you or me. As you consider this legislation, consider our brothers and sisters with disabilities who live among us, and think of the message we send by standing by while others like them are devalued in our society through abortion.

Chairman Burke, Vice Chair Beagle, Ranking Member Tavares and members of the committee, thank you again for the opportunity to testify on SB 164. I am happy to answer any questions you may have.