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Testimony in Support of SB208

**Senate Health, Human Services and Medicaid Committee
October 15, 2019**

Chairman Burke, Vice Chair Huffman, Ranking Minority Leader Senator Antonio & committee members:

Thank you for allowing me to testify before you today. I am here to support SB208 known as the Born Alive Infant Protection Act.

According to the Ohio Revised Code 9.041, it is the public policy of the state of Ohio to prefer childbirth over abortion to the extent that is constitutionally permissible. This seems to conflict with liberal opinions that abortion is totally acceptable. Since 1973, a great many of our society fail to regard that abortion is the intentional ending of a human life inside of the womb. In debate after debate, the loud voices of abortion-supporting individuals state that preborn human beings in the womb are not human at all and have no legal protections under the law. How can it be, then, that those same pre-born human beings are recognized as persons under the Unborn Victims of Violence Act in which an individual can be convicted of a dual murder if they cause the death of a pregnant woman and her preborn child? How also can it be that the Supreme Court has left it up to the states to allow preborn children to inherit property? Are

these children magically human only if they fit the criteria of specific situations?

While we are not here to answer these questions today, we recognize that most abortion supporting individuals believe that human beings do not acquire legal status under the law until birth. It abhors me that anyone can think that human being in the womb is disposable, but it sickens me even more that we are here today to debate whether or not a child who HAS made it past birth should be protected.

I was present in the gallery earlier this year when Ohio Senate Resolution 41 was passed urging the U.S. Congress to enact the federal version of the Born Alive Abortion Survivors Protection Act. The Ohio Senate voted unanimously to pass this resolution. Senators who normally do not support pro-life legislation made comments on the floor during the discussion before the vote that while they would support women ending the life of their child in the womb, that once a child was born, it deserves to live.

Federal law prohibits individual states from stopping the horrendous practice of abortion prior to gestational viability. Because of this, 20,425 children were legally put to death through abortion in Ohio in 2018. There was no debate about the methods, or whether or not the innocent child would suffer, such as the debate that is continuing over the medicine cocktails to be used for death row inmates. There was no due process of law for these abortion victims like should be afforded them by the 14th amendment, and no appeals process for the death sentence they experienced. It is sickening that a civilized nation could legally kill preborn children and call it health care.

In 2002, the “Born-Alive Infants Protection Act” easily passed Congress — through a voice vote in the House and unanimous consent in the Senate. It recognized that killing a baby once it

is born is a homicide. We shouldn't have to have pass another law to protect those children. However, the law is being twisted to ignore the intentional neglect of some abortion survivors so that they die as originally intended. Intentionally allowing a child who has survived an abortion to die by denying it health care should be considered a homicide as well. Senate Bill 208 specifies that failure to attempt to preserve the health of life of a child who survives an attempted abortion will be considered abortion manslaughter, a felony of the first degree. Any physician who does not attempt to save the life of an abortion survivor should be prosecuted.

This is a no-brainer. As a civilized nation, there should be no abortion. To be debating whether or not to preserve the health of a human being who survives an attempt at its life in the womb and is born alive is ludicrous. A child born alive is recognized as a person and should have full constitutional rights under the law. The 14th amendment, as I referred to previously, says that no state shall "deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." To neglect to preserve the health of a child is as intentional as a forceful homicide. We cannot let that happen in Ohio. I urge you to pass this bill just as you voted to pass Resolution 41 earlier this year.