

SB208 Interested Party Testimony

Dr. Cathy Stein

Representing Equal Protection for Posterity

Senate Health Human Services and Medicaid Committee

November 5, 2019

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

Thank you so much for this opportunity to testify as an interested party regarding SB 208. My name is Dr. Cathy Stein. I am the Chair of the Ohio Chapter of Equal Protection for Posterity. I am also a mother of three amazing children and tenured faculty member.

First and foremost, I would like to strongly point out that you do not need this bill. Quoted below is Section 1 of the 14th amendment of the U.S. Constitution:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce **any law which shall abridge the privileges** or immunities of citizens of the United States; **nor shall any state 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. [*emphasis mine*]

Nowhere in there does it say all persons “that are wanted”, or “that are not born into difficult circumstances” or “that aren’t disabled”, or any of the other myriad of reasons given for abortion. It simply says “**born** in the United States”. Therefore, if a baby is born alive after a failed abortion, that child should be protected under the law of the land. In your oath of office, you have sworn to protect and defend the Constitution. So, this bill is unnecessary, because the protection of those babies is implicit in the Constitution.

Second, I find it interesting that this bill is being debated here. This seems to be an Ohio-specific enforcement of Senate Resolution 41 from earlier this year. I watched the debate over SR 41 in this committee, and noted that there was some dissent within committee, but it was passed unanimously on the Senate floor.

Third, I would like to share some of my concerns about this bill. Incremental pro-life bills like this one only prolong the fight to end abortion and actually strengthen Roe vs Wade. By regulating abortion, you are defining the terms where it is legal. I understand that the sponsors of this bill are pro-life and presumably want to end abortion in Ohio, but this bill doesn't help. In addition, the language in lines 919 and following, allowing the mother to file a civil action against the abortionist after she had already gone in to have her child aborted, is dismaying. I don't understand why we're creating an opportunity for the abortive mother to be a victim, when she has purposed to end the life of her preborn child. If a child is born alive after a failed abortion, that child is pretty far along in the pregnancy.

We are called to protect those that cannot protect themselves. In Matthew 18:6, Jesus says it is better for someone to have a millstone hung around his neck and be drowned in the depth of the sea than to offend little ones. In Matthew 5:6, Jesus says that those who hunger and thirst for righteousness are blessed. It is clear which side we should be on.

Finally, to remind you of the Declaration of Independence:

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... [*emphasis mine*]

Your purpose as elected officials is to protect those rights.

Thank you for this opportunity provide testimony.

Cathy Stein, Ph.D.

Ohio Chapter Chair

Equal Protection for Posterity

Additional Resources:

The Doctrine of Lesser Magistrates by Matthew Trewhella

“Babies are Still Murdered Here”, a documentary available online:

<https://endabortionnow.com/babies-are-murdered-here-2/>

“What would happen if a state nullified Roe and Abolished Abortion”

https://theresurgent.com/2019/04/26/what-would-happen-if-a-state-nullified-roe-and-abolished-abortion/?fbclid=IwAR2AJ9bTlxGC4eaPFjJKux3A47ZOIXX05FYWuxEuEOdcz_mf4Ta0rCIDdMY