

2009 SENATE HUMAN SERVICES

SB 2265

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2265

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 2-11-09

Recorder Job Number: 9194, 9254

Committee Clerk Signature

Mary K Monson

Minutes:

Senator J. Lee opened the hearing on SB 2265 relating to required notice to be posted at abortion facilities or hospitals.

Senator Terry Wanzek (District 29) introduced and spoke in favor of SB 2265. Attachment #1

Senator J. Lee asked if he was aware of any locations but one at which abortions are currently performed.

Sen. Wanzek deferred that question to others.

Discussion about the ease of printing up signs so the health department wouldn't have to pay for it.

Senator Dever asked how many abortions are performed in hospitals and under what circumstances. He suspected that the only circumstance in hospitals would be the life and health of the mother and that would be appropriate.

Sen. Wanzek deferred to others.

Christopher Dodson (ND Catholic Conference) testified in support of SB 2265.

Attachment #2 In addition to his written testimony he informed the committee that Ohio recently passed an anti coercion statute much more detailed than this. It had bipartisan support. Some of that information was taken for this one.

He addressed the cost issue. Asking the health department to assume the costs was modeled after what they did in Ohio and legislation before Michigan and Missouri. It also reflects our laws regarding the forms the abortion clinic has to fill out.

In answer to an earlier question he said he could only remember three abortions reported that were not performed at the abortion center in Fargo in the last 15 years. It is very rare.

He would not be against removing hospitals.

Stacey Pflieger (ND Right to Life) provided testimony from **Janne Myrdal** (Director of Concerned Women for America of ND) who could not be present because of the weather.

Attachment #3 She also provided a pamphlet containing stories of coercion.

Attachment #3a.

Patty Armstrong (a writer) told the story of Suzan Marcy. Attachment #4

Tom Freier (ND Family Alliance) went on record supporting SB 2265.

Arnold Thomas (ND Healthcare Association) testified in opposition to SB 2265.

Attachment #5

Senator Dever asked if his concerns would be relieved if hospitals were removed from the requirements of the bill.

Mr. Thomas said that was correct.

Megan Treinen (Bismarck) spoke in opposition to SB 2265. Attachment #6

Janelle Moos (ND Council on Abused Women's Services) provided information for the committee and requested an amendment. Attachment #7

Senator Dever asked if the lady is alone in the private pre procedure counseling setting.

Ms. Moos said she would assume so. This would allow the sign to be placed in a location that the abuser cannot see the sign and it might often allow her to disclose that she is an abused victim.

The hearing on SB 2265 was closed.

Job #9254

Senator J. Lee reported to the committee that Christopher Dodson from the Catholic Conference offered to put together some amendments for the committee to consider.

It would (1) eliminate hospitals and (2) deal with the signs.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2265

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 2-16-09

Recorder Job Number: 9522, 9523

Committee Clerk Signature

Mary K. Monson

Minutes:

Senator J. Lee brought the committee back to order to discuss SB 2265. She explained proposed amendments that were drawn up by Christopher Dodson. Attachment #8

Mr. Dodson said he did some research on the code and found there doesn't seem to be a standard for terms of internet website and download. But internet website from the department is already used in this chapter. He felt printable format available for download was self explanatory.

Committee comments about taking hospitals out of the bill. It is a good move. They didn't want to make more work for the Department of Health.

Mr. Dodson reported that he had provided a copy of the amendments to Janelle Moos who had said it was ok.

Arnold Thomas reported that the amendment addressed their concerns.

Job #9523

Senator Heckaman moved to adopt the amendment.

Second by **Senator Marcellais**.

Roll call vote 5-0-1. Vote was left open for **Senator Dever**. **Final vote 6-0-0. Amendment Adopted.**

Senator Heckaman moved a **Do Pass as Amended**.

Second by **Senator Erbele**.

Roll call vote 5-0-1. Vote was left open for **Senator Dever**. **Final vote 6-0-0. Motion carried.**

Carrier is **Senator Heckaman**.

FB
2-16-09

PROPOSED AMENDMENTS TO SENATE BILL NO. 2265

Page 1, line 2, remove "or hospitals"

Page 1, line 6, remove "or hospital"

Page 1, line 7, remove "or hospital"

Page 1, line 13, replace the underscored colon with "at the time a woman gives consent to an abortion."

Page 1, remove lines 14 through 18

Page 1, line 20, remove ", hospital,"

Page 1, line 21, replace "produce" with "make" and replace "and" with "available for download in a printable format on its internet website."

Page 1, remove lines 22 and 23

Renumber accordingly

Date: 2-16-09

Roll Call Vote #: 1

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2265

Senate Human Services Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended

Motion Made By Sen. Heckaman Seconded By Sen. Marcellais

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee, Chairman	✓		Senator Joan Heckaman	✓	
Senator Robert Erbele, V.Chair	✓		Senator Richard Marcellais	✓	
Senator Dick Dever	✓		Senator Jim Pomeroy	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 2-16-09

Roll Call Vote #: 2

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2265

Senate Human Services Committee

Check here for Conference Committee

Legislative Council Amendment Number 90844.0101 Title .0200

Action Taken Do Pass Do Not Pass Amended Rerefer to Appropriations
 Adopt Amendment Reconsider

Motion Made By Sen. Heckaman Seconded By Sen. Erbele

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee, Chairman	✓		Senator Joan Heckaman	✓	
Senator Robert Erbele, V.Chair	✓		Senator Richard Marcellais	✓	
Senator Dick Dever	✓		Senator Jim Pomeroy	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Heckaman

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2265: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2265 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "or hospitals"

Page 1, line 6, remove "or hospital"

Page 1, line 7, remove "or hospital"

Page 1, line 13, replace the underscored colon with "at the time a woman gives consent to an abortion."

Page 1, remove lines 14 through 18

Page 1, line 20, remove ", hospital,"

Page 1, line 21, replace "produce" with "make" and replace "and" with "available for download in a printable format on its internet website."

Page 1, remove lines 22 and 23

Renumber accordingly

2009 HOUSE HUMAN SERVICES

SB 2265

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2265

House Human Services Committee

Check here for Conference Committee

Hearing Date: March 17, 2009

Recorder Job Number: 11086

Committee Clerk Signature

Ticky Crabtree

Minutes:

Chairman Weisz opened the hearing on 2265.

Sen. Terry Wanzek District 29 sponsored and introduced the bill: See Testimony #1.

Rep. Conrad: (Inaudible) penalty for forcing someone to have an abortion.

Sen. Wanzek: I don't recall it. I'm sure others here that can answer that question.

Rep. Conrad: (Inaudible) what the law is, the century code (inaudible).

Sen. Wanzek: It is my understanding that (inaudible).

Chris Dobson: See Testimony #2. To answer Rep. Conrad's question, this bill does not provide a unique penalty for coercion to have an abortion. The (inaudible) statute of the new law does that. It is against the law constitutionally. It is against the law in that respect that no one can force you. No specific law regarding a criminal penalty for coercion to have an abortion.

Rep. Holman: Do think this might lead to prosecution (inaudible) domestic violence?

Chris Dobson: No, we didn't put in that into statute. All we are trying to do here is provide visual notification that when she is alone and she sees that, she can say, stop, I have to tell you something and then we can get her into help.

Rep. Conrad: I think this is a good idea. But, could we say according to Supreme Court ruling Roe vs. Wade that it is against the law?

Chris Dobson: You could put it in, but the idea was to keep something simple which is understandable. They have the right to say no.

Janne Myrdal, Director for Concerned Women of America: See Testimony #3.

Stacey Pflieger, Right To Life: Testified in support. **See handout #4.** Stacey read of two accounts of coercion from the handout. One was of a 15 year old girl pregnant from her father forcing her to have an abortion. The abortion clinic doctor and nurses forced her onto the table and strapped her down. She was screaming the whole time for them to stop that she didn't want the abortion. The doctor screamed back at her, "shut up and quit that yelling" She said she was violated again by the abortionist. Another story was of a girl whose mother forced her to have an abortion. The girl ran off in the car, but her mother found her and forced her to have the abortion.

Tom Freier from ND Family Alliance voiced support of the bill.

NO OPPOSITION.

Chairman Weisz closed the hearing.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2265

House Human Services Committee

Check here for Conference Committee

Hearing Date: March 17, 2009

Recorder Job Number: 11087

Committee Clerk Signature

Nicky Crabtree

Minutes:

Chairman Weisz: 2265 committee.

Rep. Porter: Motion Do Pass.

Rep. Frantsvog: Second.

Roll Call Vote: 13 yes, 0 no, 0 absent

MOTION CARRIED DO PASS.

BILL CARRIER: Rep. Kilichowski.

Date: 3-17-09
Roll Call Vote #:

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2265

House HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended

Motion Made By Rep. PORTER Seconded By Rep. FRANTSVOG

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN ROBIN WEISZ	✓		REP. TOM CONKLIN	✓	
VICE-CHAIR VONNIE PIETSCH	✓		REP. KARI L CONRAD	✓	
REP. CHUCK DAMSCHEN	✓		REP. RICHARD HOLMAN	✓	
REP. ROBERT FRANTSVOG	✓		REP. ROBERT KILICHOWSKI	✓	
REP. CURT HOFSTAD	✓		REP. LOUISE POTTER	✓	
REP. MICHAEL R. NATHE	✓				
REP. TODD PORTER	✓				
REP. GERRY UGLEM	✓				

Total (Yes) 13 No 0

Absent 0

Bill Carrier Rep Kilichowski

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2265, as engrossed: Human Services Committee (Rep. Welsz, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2265 was placed on the Fourteenth order on the calendar.

2009 TESTIMONY

SB 2265

#1

Testimony on SB 2265

Senator Terry Wanzek

02/11/09

Madame Chairman and members of the Senate Human Services Committee, my name is Terry Wanzek, State Senator from district 29. I am here today in support of SB 2265.

SB 2265 will require there to be a sign posted in abortion clinics and hospitals that perform abortions. The sign must state; "no one can force you to have an abortion. It is against the law for a spouse, a boyfriend, a parent, a friend, a medical care provider, or any other person to in any way force you to have an abortion. "

This measure targets abortions. I believe most people, even those who believe it is a free choice, see abortion as a troubling choice or hopefully the last choice. I believe most everyone wants to reduce the number of abortions. However, this bill does not hinder, obstruct, deny or prohibit anyone from having an abortion. It is simply, an effort to hopefully cause one to think again or to embolden someone, who is being intimidated or pressured to have an abortion, choose not to abort their child.

I am certain these situations are highly emotional and involve many different influences. Sometimes I am sure that an individual is directed or pushed towards a decision to have an abortion possibly against their will. I want to be sure that at times like this a woman can seek all the consultation and information she possibly can, however, I believe it needs to be clear that she ultimately should be the one making the decision, and should never be forced to make that decision to abort.

In conclusion, the possible argument that this is burdensome or costly to a clinic should be alleviated as the cost for the signs will be borne by the State Department of Health. Madame Chair and Committee members, I am hopeful that you will give SB 2265 favorable consideration. Thank you.



Representing the Diocese of Fargo
and the Diocese of Bismarck

Christopher T. Dodson
Executive Director and
General Counsel

To: Senate Human Services Committee
From: Christopher T. Dodson, Executive Director
Subject: Senate Bill 2265 - Abortion Non-Coercion Sign
Date: February 11, 2009

#2
Same given
to House.

Senate Bill 2265 is a reasonable step to help address a serious matter that persons on all sides of the abortion debate should want to prevent - the problem of coerced abortions.

Decades of research demonstrate that many women feel forced by others to have an abortion. Coercion comes from boyfriends who use psychological pressure or physical threats, husbands who threaten divorce, parents who threaten to kick girls out the house or withdraw financial support, or employers who imply termination or penalization. Researchers estimate that as much as 64% of abortions involve coercion.

Taking steps to ensure that a woman is not forced into an abortion provides benefits beyond just making sure that she does not consent to a procedure for which she does not actually desire. By preventing coerced abortions, we can prevent harm to the woman and to her unborn child.

Coercion, if not addressed, can escalate into violence. Homicide is the leading cause of death among pregnant women. Studies show that domestic violence is a particularly acute problem among abortion patients, with one study indicating that 39.5% of women seeking abortion report abuse. Abortion patients also report a high rate of sexual abuse. Visual notification telling a woman about her right to not be coerced may be what encourages her to speak up and get the help she needs.

We request a **Do Pass** recommendation on Senate Bill 2265.

SB2265 Senate Human Services February 11th, 2009.

Chairwoman Lee and members of the Committee, the following statement is a testimony from Janne Myrdal, director of Concerned Women for America of North Dakota. (Due to weather conditions, CWA was not able to be at this hearing.)

CWA of North Dakota stands in support of SB2265.

We believe that a women and/or minor that seek abortion services sometimes may not be there of their own will, and therefore SB2265 is of necessity. From working with women in a crisis pregnancies for over 20 years, I have personally and seen numerous situations when either boyfriend or sadly even parents, have forced a woman or minor to have an abortion. This becomes a tragic event beyond the abortion itself, as the mental and emotional suffering form such event can reach devastating proportions. We think it is vital that existing North Dakota laws that already protects a person from such coercion be posted at places where abortions are performed. Upon reading such a sign, and thereby becoming aware of their rights, women in crisis may be able to express and seek their rightful protection under North Dakota laws. We therefore urge that you vote a Do Pass on this common sense pro-woman bill.

Sincerely.

Janne Myrdal
State Director
Concerned Women For America of North Dakota
PO Box 213, Park River, ND 58270
Phone: (701) 331-0946
E-mail: director@northdakota.cwfa.org
Web: <http://states.cwfa.org/states/details.asp?organization=nd>

The UnChoice ...

"They said I made the right decision ... but I was never given a choice."

- 64% felt pressured by others.¹ Coercion can escalate to violence.
- Deceptive or inadequate information presented as fact by health officials, experts, authorities, educators, pastors and other leaders also acts coercively.
- Up to 83% of abortions are unwanted.²
- Most felt rushed and uncertain, yet 67% had *no* counseling before abortion.¹
- 79% not informed about available alternatives.¹
- 84% said they were not given enough information to make an informed choice.¹

An injustice to *both*: lack of authentic choice, truth or support ... but above all, the loss of a child

"When I learned the truth, I can't tell you how betrayed I felt."

- 60% said, "Part of me died."¹
- Women are more likely to suffer from clinical depression, substance abuse, anxiety disorders, and suicidal behavior after abortion.³
- 65% suffer multiple symptoms of post-traumatic stress disorder.¹

Directly and indirectly ... abortion kills women, too

"We were maiming at least one woman a month." Carol Everett, former clinic operator

- 31% suffer health complications.¹
- Death rates from all causes are 3 times higher after abortion.⁴
- Suicide rates are 6 times higher among women who abort vs. giving birth.⁵

It's not about "choice" when others decide ...

"... it will be her duty to undergo an invasive procedure and an emotional trauma and so sort the situation out. The crowning insult is that this ordeal is represented to her as some kind of a privilege." Germaine Greer, in *The Whole Woman*

TheUnChoice.com

Share new facts and new hope. Download this flyer, the *Forced Abortion in America* report, ads, postcards and fact sheets, for leaders, legislators and others.

citations: www.theunchoice.com/resources.htm

Elliot Institute ■ AfterAbortion.info ■ TheUnchoice.com

Abortion is the unchoice.
Unwanted. Unsafe. Unfair.

PORTRAITS OF COERCION America's Silent Epidemic

Same handouts given to House.

3a

"I screamed that I didn't want the abortion."

"They said I made the right decision, but I was never given a choice."

"The nurse said this was not the time for questions."

"My husband exploded in anger ... 'Have an abortion or I'll leave you.' "

"Our pastor assured us that abortion was ok."

"The doctor leaned across his mahogany desk and snapped, 'It's not a baby!' "

"My parents locked me in the house and made the appointment."

"No one told me there were places I could go for help."

"The counselor drew a micro-dot ... I feel so betrayed."

"It doesn't look like you have much choice."

I don't know why they call it a choice

"He destroyed our apartment ... he was killing me with his words."

"My boss threatened to push me down the stairs if I didn't abort."

"They would just look down their noses at me for being pregnant."

"The abortionist strapped me down and said, 'Shut up and quit that yelling.' "

"All the people that mattered told me to abort. No one would help me."

"Everything in me was yelling, 'No! No! No!' "

"Every Tuesday, a scheduled bus took students to the clinic."

The rhetoric of choice the reality of coercion.
64% were pressured to abort. Homicide is the leading killer of pregnant women.

**It was all so organized.
A weekly bus took students to the clinic.**

Every Tuesday a scheduled bus picked up students and took them to the Planned Parenthood clinic. School counselors arranged the visits. It was all so organized ... Still today, I feel like I did not decide to have the abortion ... I was only 14 ... The nurse said this was not the time to be asking questions, that I should have asked them sooner.
Gaylene, survivor of two post-abortion suicide attempts

**My husband said
he'd leave if I didn't abort.**

He told me, "Either you have an abortion, or I'll leave you."
Sandra Morean

**I sped away ...
my mother caught up with me:**

When I told my mom I was pregnant, she immediately made the appointment [for abortion]. I kept hanging the phone up on her and she kept redialing. Finally she got through ... The next morning, I crept downstairs, got into my car and sped away—she quickly followed and finally caught up with me.
Laura O'Brien

The social worker made us feel like dirt.

Since Jim was unable to find another job, we had to go on welfare ... Our caseworker was just disgusted with us. She urged us to have an abortion, saying, "You just can't go around having babies all the rest of your life." After making us feel like dirt, she reassured us Medicaid would pay for the abortion ... There was pressure from everyone ... Confusion mounted, tension and pressure took control, and I became another victim of "free choice."
Lorijo Nerad

**I screamed that I didn't want the abortion.
Doctor: "Shut up and quit that yelling!"**

I was a victim of incest at 15 ... In spite of the pain and guilt I felt ... it was far better to have a baby than the alternative—to kill it ... My father flew into an uncontrollable rage and demanded that I consent to the abortion ...

[The doctor] asked three nurses to hold me while he strapped me to the bed ... I continued to scream that I didn't want an abortion. He told me, "Shut up and quit that yelling!" ... I was violated by my father ... I was violated again by the abortionist.
*Denise**

The doctor begged me to abort.

[The doctor said the medication I'd been taking] causes birth defects ... and literally pleaded with me, "Please reconsider ... You're a fool to think of not aborting ..." He was so serious that it frightened me.
Deborah Hulebak

His family pushed for abortion.

His family pushed for abortion—because I was in their home and they were having to help care for my children while I was bedridden ... I felt obligated, totally helpless. A part of me died that day.
Lori Rachuleta

**Our pastor assured
my mother that abortion was fine.**

My mother arranged my abortion. She didn't like my boyfriend and wanted to protect my "reputation" ... Our pastor had assured her that having an abortion was fine. No one helped me ...
Jane Crawford

**My mom said I must abort ...
my boyfriend left town.**

I told my boyfriend I was pregnant and he acted as if he were happy. He left town a short time later leaving me to face the pressure of what to do. My mother figured out that I was pregnant ... and she told me I must abort. She said my life would be ruined if I stayed pregnant.

She also sent me to Planned Parenthood [and to two other counselors] ... who all agreed with my mother and counseled me to abort. I had no one who said I could give life to my child ...
Carla Matrich

**My relatives made the arrangements.
Afterwards, I was on my own.**

The baby's father retracted his marriage proposal as soon as he found out I was pregnant. I had no money, no medical insurance, and didn't realize that there were places to turn to for help ...

My relatives made all the arrangements ... everyone was there to give advice before the abortion, but afterwards I was on my own. If I had had love, support, and above all, the true facts, I would have never even considered an abortion. The pain never goes away.
Carolyn Walton

**All the people at the clinic were helpful.
Everybody else just looked down on me.**

There I was alone having an abortion. I was really low ... I didn't want an abortion ... But all the people at the clinic were real helpful and friendly and tried to make you feel like you were doing the right thing. Nobody else in my life had tried to help me ... Everybody else would just look down their noses at me for being pregnant.
Cathe Birtwell

**My parents locked me
in the house for two weeks.**

My parents told me I was to get an abortion. They locked me in the house and took the phone off the hook for two weeks. They told me not to tell anyone I was pregnant ... Two weeks later they took me 240 miles to Spokane for the abortion ...
Julie Woodley

**He destroyed our apartment ...
killing me with his words. "Get rid of it!"**

He destroyed our apartment ... and told me to get rid of it. Now! The whole time he cornered me ... throwing things and killing me with his words ... The abortion ripped me apart. Any strength I had to leave the abuse was torn away from me.
Mary

**The counselor never gave me alternatives.
She just kept playing on my fears.**

She told us it would be very difficult for us to have a baby. She said she had three kids herself and the financial aspect was difficult for her. She never gave me alternatives or asked if I wanted to keep the baby; she just kept playing on my fears and making me believe it would never work out.
Kelly

**It wasn't my choice. It should be called
"Your Parents' and the Guy's Choice."**

No one would support me ... The worst day of my life got closer and closer. I think in more cases than not, it isn't the woman's choice. It should be called "Your Parents' and the Guy's Choice" ... I needed someone to tell me that it was possible to keep my baby, but no one did.
Amanda

*name has been changed

citations for the Portraits of Coercion fact sheet

1. VM Rue et. al., "Induced abortion and traumatic stress: A preliminary comparison of American and Russian women," *Medical Science Monitor* 10(10): SR5-16, 2004.
2. D. Reardon, *Aborted Women, Silent No More* (Springfield, IL: Acorn Books, 2002).
3. David M. Fergusson, et. al., "Abortion in young women and subsequent mental health," *Journal of Child Psychology and Psychiatry* 47(1): 16-24, 2006.
4. M. Gissler et. al., "Pregnancy Associated Deaths in Finland 1987-1994 -- definition problems and benefits of record linkage," *Acta Obstetrica et Gynecologica Scandinavica* 76:651-657, 1997; and M. Gissler, "Injury deaths, suicides and homicides associated with pregnancy, Finland 1987-2000," *European J. Public Health* 15(5):459-63, 2005. A study of 173,000 American women found that women who had abortions had a 62 percent higher risk of death from all causes over the next *eight* years compared to women who gave birth. (DC Reardon et. al., "Deaths Associated with Pregnancy Outcome: A Record Linkage Study of Low-Income Women," *Southern Medical Journal* 95(8):834-41, Aug. 2002)
5. Gissler, Hemminki & Lonnqvist, "Suicides after pregnancy in Finland, 1987-94: register linkage study," *British Journal of Medicine* 313:1431-4, 1996; and M. Gissler, "Injury deaths, suicides and homicides associated with pregnancy, Finland 1987-2000," *European J. Public Health* 15(5):459-63, 2005. A study of 173,000 American women found that women who had abortions were 2.5 times more likely to commit suicide over the next *eight* years compared to women who gave birth. (DC Reardon et. al., "Deaths Associated with Pregnancy Outcome: A Record Linkage Study of Low-Income Women," *Southern Medical Journal* 95(8):834-41, Aug. 2002)

I Am a Mother

Looking at a Mother's Day advertisement, I suddenly realized that I was not cringing inside. For so long, the celebration of Motherhood by others caused me great pain. It was not that I had no children; it was that I had them and lost them. Or rather, I aborted them both. This reality was especially painful because I wanted those babies. But the people in my life, whom I depended on, pressured me to have the abortions. I was told it was selfish for me to think about giving birth. Both times, I felt that abortion was my only option.

It was an ugly secret I kept even from my doctors. But through the grace of God, I experienced healing almost twenty years later. Now, I can openly say, I *am* a mother. Through my husband's children who call me "mom" and through my grandchildren whom I cherish, my maternal desires have found rest. But more importantly, through facing the truth of my abortions and finding forgiveness, I have been able to experience the love I still have for my children. I love them and I am their mother.

I was just twenty years old in 1974 when my mother took me to a Planned Parenthood clinic. They confirmed that I was pregnant—unmarried and pregnant. "Aren't you lucky abortion is legal now," the medical assistant gushed. The Supreme Court had just made it legal for women to abort their babies. The seventies were a time of liberation. It was a brave new world for women. Sitting in the clinic, I felt anything but brave. My birth control had not worked and now I was pregnant.

Staring blankly at the medical assistant, I flatly informed her: "I'm not getting an abortion."

"We will talk about this later," my mother said curtly. My father hit the roof. He thought I should get married. The guy I was dating thought we should get married. I started going with him on the heels of a break-up with another guy. How could I tell him that I was not sure whose baby it was? My mother informed me that abortion was my only logical option. "You will bring shame on this whole family if you have this baby," she said. "And it's not even a baby. It's just a blob of tissue."

Although we were only occasional church goers and there was no religious instruction at home, my father planned on becoming a deacon in the Church of Christ. "You will destroy your father's chances and humiliate your three brothers," my mother claimed. "You are being totally self-centered thinking about having this baby." Then my mother's final words ended any hope. "If you think I'm going to help you raise this child, you're wrong." Up until that point, I looked to my mother for guidance. At twenty years old, working as a receptionist, I could not imagine trying to negotiate motherhood alone. I gave up.

We returned to the clinic for an injection to prepare my cervix for the abortion. Then, the next day, on my birthday, February 25, I lay on a table waiting for the abortion. When the doctor walked in I desperately asked: "Can I change my mind?"

"No," the doctor told me. "It's already too late. The injection you had yesterday has already started the abortion." Years later, I learned that was not true. I lay there in a daze. Society was telling women that we now had control over our bodies but I felt I had no control over anything. I was told the procedure would take just twenty minutes out of my life. In truth, it took more than twenty years from me. There was a jar on a table next to me. After the abortion, it was filled with my baby. I turned away and cried. There was no one to comfort me. Was this what women's rights was all about? I left with my mother through a side door. Women who had abortions were not allowed to walk back through the lobby and possibly upset the others still waiting. My mother took me to a restaurant. "Now, let's go on with your life and we don't need to discuss this further," she said matter-of-factly. I sat across the table and just stared blankly at her. A part of me had died with my baby. I no longer trusted her.

Three months later, I became involved with another young man. He treated me like a queen. We were soon engaged and married. Maybe this will be my chance for happiness, I thought. I imagined having children and living happily ever after. It was not to be. On our wedding night, when he discovered I was not a virgin, I had to lock myself in the bathroom to escape his fury. He was mentally and physically abusive from the start. Finally, after six months, I admitted to my family that the marriage was a terrible mistake.

By 1977 I moved in with another man. He was in the process of getting a divorce. He and his wife had two children and she had two children from a previous marriage so there were four kids at home. Although the plan was for us to get married, his divorce became bitter so he decided he did not want the hassle of making things legal with me. Even though I still wanted children, he got a vasectomy six months after I had moved in. Two weeks later we discovered I was pregnant. I was thrilled. He was furious. I hoped that he would get over it. I even bought a couple of maternity tops envisioning a pregnant belly that would announce to the world that I was a mother. But I was informed that if I had this child, he would deny it was his. Then, I heard the familiar threat: "If you have this baby, you are on your own. I won't help you. And anyways, you can help me raise my kids," he insisted. I did not feel strong enough to handle motherhood alone. God was not a part of my life either. Surely, he was disgusted with me. My live-in partner dropped me off at the abortion clinic and then picked me up afterwards. From there we picked up his four kids for the weekend. It was those kids that stopped me from committing suicide after we returned home. I already felt dead inside, so I envisioned finishing the job. Standing in the bathroom, I contemplated how I could do it. Then, I realized

how traumatic it would be for the children to discover my suicide. I had already hurt my own babies. I did not want to hurt anyone else's.

For thirteen years I continued to live with this man. He was verbally abusive, telling me over and over that I was stupid and ugly. I believed him. We drank and smoked a lot of marijuana. It helped dull my pain. Then, one morning, I walked into the bathroom and glanced into the mirror. I looked straight into the eyes of a skull. My heart beat through my chest and I went weak at the awful vision. I blinked back in disbelief and then it was gone. I was stone sober that morning. The vision had given me a glimpse of where I was heading.

I made plans to leave. I left but returned for another year out of guilt after he had a heart attack. His insults continued. I left him again only to begin a relationship with a man I worked with. His flattery was music to my ears after over a decade of being beaten down. That relationship soon ended, however. One night, alone in my apartment, I thought about how miserable my life had been. Then, I thought about God. I did not feel worthy to talk to him, but I had nowhere else to go. "Dear God," I cried out in desperation, "Please bring someone into my life who will just love me as I am." Then, on April 1, 1990, I called a friend to ask him to the Soroptomist Ball that I had tickets for. Although Bruce and I had been friends for three years, our relationship soon turned romantic. He was a divorced combat veteran of Vietnam with two grown daughters. We shared our pain with one another.

We married in October 10, 1991. Bruce planned to have surgery to reverse his vasectomy so we could have children together. Instead, I woke up hemorrhaging one night. An ultrasound revealed a huge black mass in my uterus. I had never admitted my abortions to any doctor, although I often complained of irregular and very long periods. It was determined that my abortion seventeen years earlier had perforated my uterus. I had been slowly hemorrhaging all that time. A complete hysterectomy was necessary. Gone was my last hope of ever giving birth.

Although neither of us was practicing any particular religion, Bruce and I agreed that it was important to include God in our marriage. We started praying together and reading the Bible. When a friend asked me to go with her to check out the Catholic Church, I readily agreed. I returned by myself the following Sunday. During the consecration of the Holy Eucharist, I felt the love and forgiveness of Christ come through to me. I did not understand it all, but I made an appointment to see a priest. My fear was that the Catholic Church, known for being strongly against abortion, would reject me. Instead, the priest embraced me. He explained that the Church welcomed sinners and offered Christ's forgiveness and love. I was euphoric and told Bruce that I was going to begin instruction to become Catholic. He informed me that he did not want to get roped into this church. "That's fine," I said, trusting everything to God.

After attending my second class for the Rite of Catholic Initiation (RCIA) Bruce joined me. "I'm just going to see, it does not mean I'm going to Mass every Sunday," he cautioned. But Bruce did start coming with me to Mass. Then, one Sunday during the consecration, Bruce felt an immense sense of Christ's presence. On Easter Sunday in 1997, we entered the Church together. Since that time, I've accepted God's forgiveness and sought further healing from my abortions. I joined "Silent No More" and began giving public testimony as to the pain of abortion. Then, I attended a retreat through Rachel's Vineyard. This is a healing ministry for woman suffering from abortion. It was there that I gave my babies names and realized that I was still a mother. I asked forgiveness from my children and told them how much I loved them. I spiritually baptized them and Bruce asked the children to let him be their adopted father, promising to always take care of me, their mother.

As a symbol of my love and healing, Bruce and I planted a flower garden which we call our "Children's Garden". It is dedicated to all babies lost to miscarriages and abortion - and their mothers. There is a pond, a walkway and a large statue of the Blessed Mother and one of an angel. A bench with a statue of a little boy and girl sits in the garden. The children are sharing a book and a puppy leans on the boy's shoulder. I've placed a Divine Mercy bracelet on the wrist of the little girl. This statue represents, Sarah Rose and Michael John--my children. The pain never completely goes away, but through the grace of God, love and joy overcomes it. My stepchildren call me mom and they have given me four grandchildren. I was even blessed to be present at the birth of three of them. Watching our grandson and granddaughters enter the world, there was a pang of regret that I had missed out on this experience myself. But instead of running from the pain or trying to bury it like I once did, I acknowledge it and let the excitement of new life overpower it.

While I was preparing to become Catholic, my mom was diagnosed with brain cancer. Before she died, we had a real talk for the first time since my abortion. "Please forgive me," she pleaded. "I was wrong to force you to have an abortion." The wedge that had driven us apart was removed. I realized then that my mother had also carried the guilt. Just as I knew in my heart that God had forgiven me, through his grace, I too was able to forgive my mother. Now, I hope for the day when we can all be reunited in love in the presence of Our Lord.

Suzan Marcy

Suzan (Suzie) is the mother of Sarah and Michael. She is the second mother to her husband's daughters, Lesa and Nancy, and grandmother to Aaron, Rhiannon, Larrisa and Aidan. Suzie and Bruce, a decorated combat veteran of Vietnam, have been married for 15 years and are both very active with their grandchildren and church.

Vision

The North Dakota Healthcare Association will take an active leadership role in major healthcare issues.

Mission

The North Dakota Healthcare Association exists to advance the health status of persons served by the membership.

Testimony on Senate Bill 2265
Senate Human Services Committee
February 11, 2009

Madame Chairman, Members of the Senate Human Services Committee, I am Arnold Thomas, President of the North Dakota Healthcare Association (NDHA). I am here today to speak on Senate Bill 2265.

Senate Bill No. 2265, as it relates to hospitals, would require a hospital to "display signs that contain exclusively the following words: "NOTICE: No one can force you to have an abortion. It is against the law for a spouse, a boyfriend, a parent, a friend, a medical care provider, or any other person to in any way force you to have an abortion."

The signs must be located so that they can be read easily and in areas that ensure maximum visibility to women who enter the hospital and are considering whether to have an abortion; to women who are receiving information required by the abortion control act; and to women at the time they consent to an abortion.

The lack of clarity in this bill is problematic.

The bill's first requirement is that the signs must be visible to women who enter the hospital and are considering whether to have an abortion. If a woman is considering an abortion, the woman would be going to visit her physician -- at a clinic or at the physician's office. She wouldn't be going to the "hospital" at this point.

The second requirement is that the signs must be visible to women at the time they are receiving information required by the Abortion Control Act. That Act requires certain information to be provided at least 24 hours in advance of the abortion. So -- again -- the woman is likely to be at her physician's office -- not in a "hospital." As for the printed materials published by the Department of Health, women must be told at least 24 hours in advance of the abortion that she has a right to review them. These materials include a list of agencies that can assist her before, during, and after the birth -- toll free numbers, etc.

These materials are described in great detail in the Abortion Control Act. Again, if the woman is sitting in her physician's office and she is asked if she wants to see these materials, that's the point at which she will generally say yes or no. If she says yes, that's the point at which the materials will be provided - i.e. when she is in her physician's office -- not when she is at the hospital.

The third requirement is that the signs must be visible at the time the woman gives consent to an abortion. This could be anytime from that visit in the physician's office to pre-op or even the operating room itself.

Whatever qualifications, restrictions, or requirements you wish to impose on the physician-patient relationship, when the patient is contemplating an abortion, is one thing. But it is not appropriate to subject everybody who comes through a particular door in a hospital to statutorily-required information regarding abortions.

Hospitals provide help and care to many different women in many different circumstances. We provide care to women who view the birth of a child as a welcome and joyous event. We provide care to women who might have been raped by a brother or a father or a favorite uncle. We provide care to women who have had normal full-term pregnancies with every expectation of a healthy baby. We provide care to women who have chosen to risk their lives in order to deliver a baby. We provide care to women who have learned that the child within them has significant medical challenges and might not live through the first day or week. We provide care to women who have given birth to a stillborn infant and to those who may have recently lost a child due to illness or accident. We deal with Moms who smoke and drink and use narcotics. We deal with Moms who are over weight or have otherwise chosen not to take care of themselves. We deal with older moms and often very young moms and supportive families and threatening families.

In short, we deal with a host of situations and a host of emotions - most of which we couldn't begin to imagine or understand. When women are in our facilities, it is our duty to help them and heal them. Hospitals have enough issues on their plates. They do not need to be required to run Madison Avenue-style ad campaigns. More importantly, no group and no cause should ever be given the opportunity to view hospital patients as a captive audience for a particular philosophical position.

I respectfully request that you remove hospitals from the requirements of this bill.

Megan Treinen - Bismarck, ND

Madam chair & Members of the committee

#6

- I. Introduce yourself.
- II. Thank the committee for allowing you to testify
- III. State your position in opposition to SB 2265
- IV. Cite your three reasons for being against the bill (add more if you want)
 - a. If the clinic already has procedures in place to 'screen' the patient to ensure the decision is being made in freewill, why is this bill necessary? * Procedures ↓
 - b. The location of the sign is important. I think it could put the patient at risk if the sign is in plain sight outside the clinic. I feel the best and only place for the sign should be in the exam/consultation room where the counseling is done and where consent is done
 - c. If a sign is determined by this committee to be necessary, I feel it should include not only language in regard to "no one being able to force you to have an abortion," I would suggest that it be amended so it also states "no ^{one} can force you NOT to have an abortion." This would ensure that no woman would be forced to involuntarily become a mother.
- V. Thank you Madam Chair

• Budget for cost-abortion clinic don't have to pay.
During this economic climate is it necessary to post a sign ~~if~~
Clinic in Fargo Policies there are already procedures in place.

*here is what the clinic manager told me about their policies. They would prefer not to have it referenced verbatim, but you can phrase to suit you: "We have a form that patients fill out that includes the statements: Whose decision is it for you to have this abortion? and Is anyone forcing or pressuring you to have this abortion? and finally - do you understand the alternatives to abortion are parenting and placing for adoption?"

Protect the rights of women.

~~_____~~

#7

**NORTH DAKOTA COUNCIL ON ABUSED WOMEN'S SERVICES
COALITION AGAINST SEXUAL ASSAULT IN NORTH DAKOTA**

418 East Rosser #320 • Bismarck, ND 58501 • Phone: (701) 255-6240 • Fax 255-1904 • Toll Free 1-888-255-6240 • ndcaws@ndcaws.org

Testimony on SB 2265
Senate Human Services Committee
February 11, 2009

Madame Chair and Members of the Committee:

My name is Janelle Moos and I am speaking this morning on behalf of the North Dakota Council on Abused Women's Services to provide the committee with information relating to reproductive health and violence against women that is relevant to your consideration of SB 2265.

According to a fact sheet compiled by the Family Violence Prevention Fund "violence against women is a costly and pervasive problem, and women of reproductive age- in particular, those ages 16-24- are at greatest risk. Violence limits women's ability to manage their reproductive health and exposes them to sexually transmitted diseases." The fact sheet also indicated that homicide is the second leading cause of traumatic death for pregnant and recently pregnant women in the United States, accounting for 31% of maternal injury deaths. Last year, in North Dakota, 149 women reported being pregnant at the time they were assaulted, which reflected a 3% increase from the previous year.

In SB 2265, one provision requires that the hospital or facility shall display signs that are located in areas that ensure maximum visibility to pregnant women to advise them that no one can force them to have an abortion. Most definitions of domestic violence have often included sexual abuse but usually focus on unwanted sexual intercourse and don't describe what is referred to as reproductive coercion. Reproductive coercion includes intentionally exposing a partner to sexually transmitted diseases, attempting to impregnate a partner against her will, and threats or acts of violence if the partner does not comply with the perpetrator's wishes regarding the decision whether to terminate or continue a pregnancy.

Most perpetrators will accompany a victim to have an abortion and based upon the requirements of SB 2265 he will notice the sign that attempts to discourage the victim from complying with his requests to terminate the pregnancy. Under these circumstances, the perpetrator is likely to do one of two things- take the victim from the clinic prior to the procedure and remind her that she must comply with his wishes to terminate the pregnancy or bear the consequences, which often results in physical violence. If they do they leave the clinic the perpetrator often will find an alternative way to terminate the pregnancy- many resort to beating their victims to the point of causing a miscarriage. If they do stay at the clinic, victims will often remain silent and not reveal her status as a victim out of fear of the physical violence.

With this in mind, we would like to propose amendments to SB 2265, which would require that the sign be placed in a private pre-procedure counseling setting in the abortion clinic or hospital. If the information is available to the victim out of sight of the abuser, it is more likely that the victim would risk disclosing her situation. Without this amendment, the risk to battered pregnant victims will increase and may result in injury or potential death. We urge you to take our proposed amendment under consideration.

Thank you.

Christopher
Dodson

2-16-09

8

PROPOSED AMENDMENTS TO SENATE BILL 2265

Page 1, line 2, remove "or hospitals"

Page 1, line 6, remove "or hospital"

Page 1, line 7, remove "or hospital"

Page 1, line 13, after "women" remove colon and insert "at the time the woman gives consent to an abortion."

Page 1, remove lines 14 through 18

Page 1, line 20, remove ". hospital."

Page 1, line 21, replace "produce" with "make" and remove "and"

Page 1, remove lines 22 and 23 and insert "available on its internet website in a printable format available for download."

Renumber accordingly

1

Testimony on SB 2265
Senator Terry Wanzek

03/17/09

Chairman Weisz and members of the House Human Services Committee, my name is Terry Wanzek, State Senator from district 29. I am here today in support of SB 2265.

SB 2265 will require there to be a sign posted in abortion clinics that perform abortions. The sign must state; "no one can force you to have an abortion. It is against the law for a spouse, a boyfriend, a parent, a friend, a medical care provider, or any other person to in any way force you to have an abortion. "

This measure targets abortions. I believe most people, even those who believe it is a free choice, see abortion as a troubling choice or hopefully the last choice. I believe most everyone wants to reduce the number of abortions. However, this bill does not hinder, obstruct, deny or prohibit anyone from having an abortion. It is simply, an effort to hopefully cause one to think again or to embolden someone who is being intimidated or pressured to have an abortion choose not to abort their child.

I am certain these situations are highly emotional and involve many different influences. Sometimes I am sure that an individual is directed or pushed towards a decision to have an abortion possibly against their will. I want to be sure that at times like this a woman can seek all the consultation and information she possibly can. However, I believe it needs to be clear that she ultimately should be the one making the decision, and should never be forced to make that decision to abort her child.

In conclusion, the possible argument that this is burdensome or costly to a clinic should be alleviated as the signs will be made available for download in printable format on the State Department of Health internet website. Mr. Chairman and Committee members, I hope that you will give SB 2265 favorable consideration. Thank you.

Beverly LaHaye
Chairman



#3

SB2265 House Human Services March 17, 2009

Chairman Weisz and members of the Committee:

CWA of North Dakota stands in support of SB2265.

We believe that women and/or minor seeking abortion services sometimes may not be doing so of their own will, and, therefore, SB2265 is a necessity. Having worked with women in crisis pregnancies for over 20 years, I have personally seen numerous situations when a boyfriend or, sadly, even parents, have forced a woman or minor to have an abortion. This becomes a tragic event beyond the abortion itself, as the mental and emotional suffering from such an event can reach devastating proportions. We think it is vital that existing North Dakota laws that already protect a person from such coercion be posted at places where abortions are performed. Upon reading such a sign, and, thereby, becoming aware of their rights, women in crisis may be able to express and seek their rightful protection under North Dakota laws. We, therefore, urge that you vote a Do Pass on this common sense and pro-woman bill.

Sincerely,

Janne Myrdal
State Director

Web: <http://states.cwfa.org/states/details.asp?organization=nd>

CONCERNED WOMEN FOR AMERICA
OF NORTH DAKOTA