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Melissa Ohden, MSW

Director, The Abortion Survivors Network

4810 NE Vivion Rd #25531

Kansas City MO 64119

North Dakota Human Services Committee,

Thank you for hearing HB 1313.

This bill is vitally important because children **do** survive abortions and the Born Alive Infants Protection Act signed into law by President Bush in 2002 was a definitions bill that provided no consequence for failing to provide medical care to survivors.

There's limited data on the incidence of children surviving abortions, but in the words of Dr. Willard Cates, former head of the CDC's Abortion Surveillance group, (quoted in the Philadelphia Inquirer of August 2, 1981): "(Live births) are little known because organized medicine, from fear of public clamor and legal action, treats them more as an embarrassment to be hushed up than a problem to be solved. It's like turning yourself in to the IRS for an audit. ... The tendency is not to report because there are only negative incentives."

However, data from the CDC about the incidence of infants surviving abortion gives us an idea of the depth of the issue. As Arina Gross, MA, formerly of the Family Research Council, testified before Congress, according to the CDC, "between the years 2003 and 2014 there were somewhere between 376 and 588 infant deaths under the medical code P96.4 which keeps track of babies born alive after a "termination of pregnancy."

The CDC concluded that of the 588 babies, 143 were "definitively" born alive after an attempted abortion and they lived from minutes to one or more days, with 48% of the babies living between one to four hours.

It's important to note that this is an underestimate, because these are just reported numbers from hospitals, **not** abortion facilities. Dr. Kermit Gosnell is only one abortionist who was responsible for "hundreds of snippings" of born-alive babies, yet he did not report even one. His numbers alone exceed the "definitive" numbers of the CDC.

Currently, there are only eight states that report out the incidence of born alive infants following abortion: Arizona, Florida, Indiana, Michigan, Minnesota, Oklahoma, Texas, Arkansas. As you can see in the spreadsheet below, in five of those eight states, there were 108 abortion survivors reported in a 12-year-period.

Aborted Babies Born Alive selected states

	Arizona	Florida	Michigan	Minnesota	Texas	STATES TTL
2020		4				37
2019	15	2		3	6	27
2018	12	6		3	4	12
2017	10	11		3	0	19
2016				5	1	13
2015		4	1	5	2	
2014			0			
2013			2			
2012			1			
2011			5			
2010			1			
2009			1			
2008			1			
Total	37	27	12	19	13	108

Live Action News review of state abortion reports accessed 12/24/2020

States not included in this spreadsheet have reported the following numbers, as was presented in Congressional testimony by Patrina Mosley, MA, in 2019:

- Indiana: 27
- Arkansas: began reporting in 2019
- Oklahoma: **Oklahoma only reports the instances of failed termination, meaning after the abortion attempt, the pregnancy was still viable. Because this reporting is so vague, the actual number of babies born alive as a result of a failed abortion is not clear in the reports.

It's important to note that states like Texas just began to report these statistics in recent years. In Texas' first reporting year, 2019, they reported six abortion survivors. You can read this in the Induced Termination of Pregnancy report [here](#), under "2019 Complications of Induced Terminations of Pregnancy."

Historically, there have been at least two studies completed on the incidence of failed abortions and surviving children, as reflected in the [*Dreaded Complication Series*](#) by Liz Jeffries and Rick Edmonds, published in the Philadelphia Inquirer, in 1981. One study found life in about 10% of the prostaglandin abortions performed at a Hartford, CT, hospital. The other study found 38 survivors in a sample of 150,000 abortions.

As if the number of children surviving abortion wasn't enough, as if the reality of the lack of consequence for failing to provide timely medical care to survivors or even killing them post-birth wasn't enough to convict me of the importance of this bill, my own story most certainly does.

I am an abortion survivor, myself. In August of 1977, my birthmother, as a 19-year-old college student, had a saline infusion abortion forced upon her against her will by her mother, my maternal grandmother.

The saline infusion abortion was the most common abortion procedure performed at the time, which involved injecting a toxic salt solution into the amniotic fluid surrounding me in the womb. The intent of that toxic salt solution was to poison and scald me to death. Typically, that procedure lasts about 72 hours—the child soaks in that toxic solution until their life is effectively ended by it, and then premature labor is induced, expelling the deceased child from the womb. My medical records indicate that I didn't soak in that saline solution for just three days, but five, while they tried numerous times to induce my birthmother's labor.

No matter what people believe about abortion in our society, most people agree that what happened to me was horrific. But I also hope that people recognize that what happened to my birth mother during those five days was also horrific. Abortion ends the life of its primary victim—(most of the time), and dramatically impacts the life of the secondary victim—the woman.

Her labor was finally successfully induced on the fifth day, and I was delivered in the final step of that abortion procedure at St. Luke's Hospital in Sioux City, Iowa. However, instead of being delivered as a successful abortion—a deceased child, I was miraculously born alive.

My medical records actually state “a saline infusion for an abortion was done but was unsuccessful.” They also list out a complication of pregnancy as a “saline infusion.”

I weighed a little less than three pounds, which indicated to the medical professionals that my birth mother was much further along in her pregnancy than the 18-20 weeks pregnant that was estimated in medical records. In fact, a neonatologist remarked that he estimated me to be about 31 weeks gestational age.

Whether the abortionist simply estimated wrong the gestation based on my birthmother's self-

reporting, or he was lying in order to proceed with the abortion, we'll probably never know. What we do know is that when I was delivered alive that day, there was an argument about whether I would be provided medical care. My adoptive parents were told that I was "laid aside," and that nurses intervened to save my life.

I have now been in contact with a nurse who was working that day in the NICU at St. Luke's, who confirmed that a "tall, blonde nurse" rushed me in that day, unwilling to follow my grandmother's orders to leave me to die. Dramatic, yes, I know. But I am far from alone. I never understood how something like this could happen in our world until I began to study reports like The Dreaded Complication series, where story after story is shared of survivors being left to die and yes, even in some circumstances, killed.

I am one of the lucky ones-to not only survive an abortion, but to have someone fight to save me. We know this is not always the case. Look up the [testimony](#) of nurse Jill Stanek, in case you haven't heard of her experience, although there are so many more stories like hers.

Despite the miracle of my survival, my prognosis was initially very guarded. I suffered from severe respiratory and liver problems, seizures...the doctors actually thought I had a fatal heart defect initially because of the amount of distress that my body was under. They indicated they didn't know how long I might live, and if I continued to live, that I would suffer from multiple disabilities. Yet here I am today, perfectly healthy.

Passage of HB 1313, will ensure that the fate of survivors like me or the 357 survivors that I've connected with through The Abortion Survivors Network, aren't left in the hands of their abortionist or the "luck of the draw" in what medical professional is working that day.

Thank you for giving HB 1313 every consideration.

Sincerely,

Melissa Ohden, MSW

The Abortion Survivors Network