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MICHIGAN HOUSE OF REPRESENTATIVES

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STATE REPRESENTATIVE

Rep. Laura Cox testimony on HB 4833 & HB 4834

Thank you, Mr. Chair, and thank you to the members of the committee.

I come before you today to speak in favor of legislation that I've been working on since my first few days in office. H.B. 4833 & 4834 - The Dismemberment Abortion Ban will put an end to the barbaric method of D&E abortions in the state.

Dismemberment Abortion, or Dilation and Evacuation, commonly referred to as a D&E procedure is a gruesome, horrific and cruel type of abortion procedure whereby tiny unborn humans are literally ripped apart. It seems unconscionable to me that this type of abortion exists, and it is time that this practice ended.

According to data published by the Michigan Department of Health and Human Services, there were 2,264 D&E abortions in Michigan in 2014. This procedure happens approximately 4 times a day, every day in our state. This method is not recognized as humane in any culture, but has become commonplace in Michigan. In China, where there are far more abortions performed annually than in the US, medical abortion is the most common 2nd trimester abortion procedure, not dismemberment. This is also the case for some European countries. Brutal D&E abortions are not necessary.

Dismemberment abortions are typically used on fetuses that are between 13 and 24 weeks gestation. Younger fetuses are usually killed using the D&C method, and older ones are usually killed with a lethal injection of digoxin to the heart before inducing labor. However, the unfortunate little ones who are between 13 and 24 weeks old have their arms and legs torn off their bodies while still very much alive.

To quote Supreme Court Justice Anthony Kennedy, "The fetus, in many cases, dies just as a human adult or child would: It bleeds to death as it is torn limb from limb."

In order to describe this heinous procedure, I will quote *Carhart v. Gonzales*, the Supreme Court decision that upheld the ban on partial birth abortion and included detail on the D&E method. "The doctor, often guided by ultrasound, inserts grasping forceps through the woman's cervix and into the uterus to grab the fetus. The doctor grips a fetal part with the forceps and pulls it back through the cervix and vagina, continuing to pull even after meeting resistance from the cervix. The friction causes the fetus to tear apart. For example, a leg might be ripped off the fetus as it is pulled through the cervix and out of the woman. The process of evacuating the fetus piece by piece continues until it has been completely removed. A doctor may make 10 to 15 passes with the forceps to evacuate the fetus in its entirety, though sometimes removal is completed with fewer passes. Once the fetus has been evacuated, the placenta and any remaining fetal material are suctioned or scraped out of the uterus. The doctor examines the different body parts to ensure the entire fetal body has been removed."

Dismemberment abortions are NOT legitimate medicine. Doctors go to medical school to become healers. The Hippocratic Oath vows to "never do harm," and it is a reminder that the physician's role is to heal, not to harm. While many surgical procedures carry the risk of harm, their intent is to provide healing for the patient. The explicit intent of abortion, however, is to harm the fetus to cause death. Dismemberment abortions put the practitioner in the role of destroyer of life instead of a protector of life. In the Supreme Court decision *Stenberg v. Carhart*, it was said that the "States also have an interest in forbidding medical procedures which, in the State's reasonable determination, might cause the medical profession or society as a whole to become insensitive, even disdainful, to life, including life in the human fetus." The D&E abortion causes a devaluation of human life precisely because of the barbaric nature of the procedure.

I have heard from opponents on this bill since its introduction this summer. While some may argue that this legislation restricts a woman's right to choose to have an abortion, I would like to emphasize that it does not. This legislation is a voice for the weakest of our society, for the children that have no voice. When the country was debating the constitutionality of partial birth abortion a few years ago, the same argument was made. There is no undue burden in banning certain types of

procedures if and when there are alternatives available. The state, and more importantly, her citizens, have the right - or may I say, the duty - to defend human life against atrocities in the womb including partial birth abortion and dismemberment abortion. As Supreme Court Justice Ruth Bader Ginsburg said when comparing D&E abortions to the now-banned partial-birth abortions, "Nonintact D&E could equally be characterized as "brutal," as it does "tearing a fetus apart" and "ripping off its limbs." The notion that either of these two equally gruesome procedures is more akin to infanticide than the other is simply irrational."

To quote *Carhart v. Gonzales* again, "The government may use its voice and its regulatory authority to show its profound respect for the life within the woman." And, "Where it has a rational basis to act, and it does not impose an undue burden, the State may use its regulatory power to bar certain procedures and substitute others, all in furtherance of its legitimate interests in regulating the medical profession in order to promote respect for life, including life of the unborn." The explicit intent of abortion, however, is to harm the embryo or fetus to death, and in the case of D&E, it is a brutal death.

I am here today speaking as a woman, a mother, and a step mother of a now 32 year-old woman. Her parents were not married and were 20 years old when she was born. In other words, they were the perfect demographic for treating a fetus as a choice instead of a baby. That 32 year-old? She spent a year in Camp Fallujah protecting our country as a marine in Iraq. Today, when she is not raising her 2 daughters, she works nights in a cardiac care unit – saving lives of all ages. She could have easily been a victim of this procedure.

Over past 3 months I have heard from men and women from across the state; from self-described pro-choicers and self-described pro-lifers. On this issue, they have been close to unanimous; their message has been loud and clear: stop this gruesome practice. I ask your support for HB 4833 and 4834. Please makes ours a more caring and protective society; a society that values the least among us. Let's end dismemberment abortions in our state.

Thank you for your time.