Follow the science! How many times have we heard that phrase in relation to the current coronavirus pandemic. So why do we NOT hear the same phrase in connection with Proposition 5? What does science have to say here?

Science will say that a human being is genetically complete and unique at fertilization, distinct from either parent. There has never been another human being exactly the same before in history, and there never will be again.

Immediately after fertilization the cells begin to divide and to create the new being, according to the roadmap laid out in the genetic code created at fertilization; the color of the hair, the color of the eyes, length of the fingers, and so much more.

At around six weeks the tiny human being forms his or her own heart, which will soon maintain its own heartbeat, different from the mother's. This rapidly developing human, though still dependent on the mother for months to come, has his or her own body, distinct from the womb and from the body of the mother. Arms and legs and nose are present and growing. Ten weeks after fertilization, fingernails are growing. Soon he or she will be able to swallow. Within four more weeks, his or her eyes will be capable of movement. Ears have formed, and about 16 weeks after fertilization, he or she can hear. By around 18 weeks, the baby has a thumb which he or she sucks, a sleep/wake cycle, and a nervous system capable of feeling pain. This last is debated, and currently difficult to measure, as pain is perceived through different pathways in the developing brain than in the adult. Certainly a developing human has a sense of touch, will exhibit stress hormones, and will seek to avoid a needle prick even earlier than 18 weeks post-fertilization.

Unless a woman has two hearts, two heads, and forty digits, half of those features are not her body. They are in her body, but they belong to another unique, real human being, not yet visible, but alive; with his or her own heartbeat and eyelashes and fingerprints long before birth.

Jennifer L. Theoret
Alburgh, Vermont

Dear Representative Brumsted, Members of the Agency of Human Services Committee, and Vermont Legislators:

As a health care provider and advocate for equitable, fair, and inclusive care, I am writing to support unconstrained and comprehensive reproductive rights for all Vermonters. Proposal 5 states "This proposal would amend the Constitution of the State of Vermont to ensure that every Vermonter is afforded personal reproductive liberty," and "The right to reproductive liberty is central to the exercise of personal autonomy and involves decisions people should be able to make free from compulsion of the State. Enshrining this right in the Constitution is critical to ensuring equal protection and treatment under the law and upholding the right of all people to health, dignity, independence, and freedom."

I am proud to be a member of this "Brave Little State" whose legislators recognize the importance of individual freedom and autonomy to make choices about our own bodies. This comes at a critical time when there is national erosion of this fundamental right and the threat of the core principles espoused in Roe V Wade. We have already seen the impact of states with restrictive laws around termination, family planning, and infringement of reproductive freedoms. These obstructive laws impact access to important medical care for women and disproportionately affect women from disadvantaged backgrounds, with limited means of transportation or finances to access safe reproductive care and family planning services. Even more abhorrent is taking away the rights of women who have been impregnated by rape and viewing them as the perpetrator. This viewpoint and legislative action of some states results in women devalued as less than human, without any voice, recourse, or agency when they have been violated with the most repugnant of acts.

When I read the portion of Proposal 5 labeled Article 22. [Personal reproductive liberty] "That an individual's right to personal reproductive autonomy is central to the liberty and dignity to determine one's own life course and shall not be denied or infringed unless justified by a compelling State interest achieved by the least restrictive means," I am concerned by the phrase "unless justified by a compelling State interest achieved by the least restrictive means." To me, this opens the door for the State legislature of Vermont to, someday in the future, impose restrictions on reproductive freedom for Vermonters. This would be counter to the spirit of proposal 5, which would rightly guarantee the personal agency for Women, Gender Minority, and all Vermonters in making the reproductive choices that are right for them. I recommend removing this phrase so that there are no "loopholes" that can allow for infringement on our basic rights, especially during this divisive and charged time in our nation's history.

We, in health care, are all exhausted from the pandemic, but we put patient care first every single day. I have witnessed first-hand the personal stories and journeys of women and gender minority patients around their individual reproductive choices. Hard decisions, but well thought out. Patients who are not ready to have a baby, did not plan for a pregnancy, and/or have limited financial resources or difficult social circumstances which would preclude them for providing the best environment of care for a newborn or child. They make the choice that is right for them and their families. They know their bodies and their circumstances. We absolutely cannot infringe on individual's basic human rights to make their own health care decisions. While I support proposal 5, I would again caution loophole terminology embedded in Article 22 of proposal 5.

Please note that the above comment is my own individual opinion and not that of my employer.

### My Written Testimony about Proposition 5

Dear House Committee on Human Services:

Even the ones of you I have been blessed to know from my many years of work for the Agency of Human Services probably don't know that when I was 25, I went through a significant life event. My then-husband and I had discussed having a baby and at one point did not use contraception. I got pregnant but we reluctantly decided to not go through with the pregnancy.

Given where and when I was living – in Central Vermont during the 1970s - I was able to have a legal abortion. It was only a year or two earlier that a safe, professional clinic was established to provide the necessary care.

I am speaking about the abortion now to express my concern that young people, especially young women, are systematically being forced into making choices about their lives which may not be the best for them. Many states have been busy removing their choices. I dearly hope our legislature and the voters of Vermont prevent this from happening here!

Thank you for listening and for your dedicated service to Vermonters. Sincerely,

Brenda J Bean

(formerly of Montpelier but moved in 2021)

370 Dodge Farm Road

Berlin, VT 05641

BrendaJBean@comcast.net

Bunda Bear

1-802-279-4935

Thank you, My name is Samantha, I'm a Springfield vermont resident and small business owner.

I moved to Vermont in 2018 from Arizona. Reproductive rights were a big reason for our move. I have a chromosome abnormally that puts me at a great risk for miscarriage and stillbirth.

In Arizona, if I was given a incompatible with life diagnosis, I would have had a mandatory ultrasound, 24 hour wait period and since it can only be diagnosed through invasive testing done after 10 weeks, I would have had 1 clinic in the entire state who would help me. I moved here knowing Vermont would never treat me this way. Would never torture me during the worst days of my life.

I have been pregnant 11 times. I have miscarried 8 times and I am blessed to have 3 healthy children. I have never needed abortion care. I am lucky.

I am in support groups for my balanced translocation. Daily people with my condition share their stories. Most members from other countries are shocked and sickened to hear of the struggles the American members have to go through for proper care. They don't understand why abortion is political. They don't understand how care can be so different from state to state.

I have my third child because I moved here and felt safe to try again, felt I would receive proper care if the worse was to happen.

One of my children shares my balanced translocation. I want them to feel that freedom to start a family if and when they feel the time is right for them. Their right isn't secure in the rest of the country as we wait to see if Roe falls. But please make Vermont a protected place for reproductive rights. Please make this a safe place for all Vermonters like me, like my child. Please vote to pass the reproductive liberty amendment.

Thank you for your time.

Dear Committee on Human Services,

When I was in my early and mid-20s I had two very different experiences with pregnancy and abortion. In my first pregnancy, I decided to get an abortion because it was not the time and I consider it still as the right decision with no regrets. My second pregnancy and abortion happened when I was engaged, five months pregnant, and preparing and excited to be a parent. But in life's unpredictability, I lost my pregnancy. My body did not expel the pregnancy or what we think of as a miscarriage. Instead, my experience is considered a non-viable pregnancy. I received the necessary care for me from the hospital, which is considered a later in pregnancy abortion, or what is sometimes referred to as a late-term abortion. The grief I was experiencing is a pain I cannot put into words. I was ready to be a mother and was excited, but pregnancy can be unpredictable and is an experience that cannot be generalized.

Years after my pregnancy loss, I became aware that if I lived in a different time or place, I would have been forced to carry my non-viable pregnancy to term and give birth to a stillborn because the law says so. The grief I was already experiencing is something I cannot explain and many would not be able to fathom. The thought of being forced, in that moment of grief, to carry that pregnancy to term for the sake of law brings a sense of pain that can also not be put into words. To be forced to do that would be cruel.

As a non-binary and queer person who has two very different experiences with pregnancy and abortion, I am confident and truly believe from experience that we cannot generalize the experience of pregnancy, abortion, identity, and orientation. Due to this, when we build laws that dictate what we can and cannot do in these experiences, we ultimately cause harm. This is why I support the Reproductive Liberty Amendment because I want to ensure that Vermont continues to not restrict these experiences that cannot be generalized.

Hannah Brislin
Chittenden County Resident

# Good Evening

Thank you for allowing me to testify on this critical issue.

My name is Elizabeth Deutsch.

I am a Labor and Delivery nurse from Hinesburg, VT.

I have over two decades of experience in patient care and currently work with pregnant people to help them give birth safely.

This is not always the case.

Childbirth remains a risk to the health of people carrying a child. Eight hundred people die every year from giving birth in the US. That number does not include those who become seriously ill but survive. Childbirth is far from a benign endeavor.

When to take this risk should be the choice of the person who will be taking the risk. It is a personal decision to be made by the patient and their provider.

The Reproductive Liberty Amendment would ensure that every person in Vermont who is capable of becoming pregnant would have access to safe healthcare. Abortion is healthcare, and it is more important than ever to keep it safe, legal, and accessible.

On Dec. 1, the Supreme Court heard arguments seeking to overturn Roe V Wade and put the fate of reproductive choice in the hands of individual

legislatures. If that happens, Approximately half of the United States could soon ban or significantly restrict abortion rights, and other reproductive and sexual health services could be on the line. We have a responsibility to protect care wherever possible.

Over the last 25 years, more than 50 countries have changed their laws to allow for greater access to abortion, at times recognizing the vital role that access to safe abortion plays in protecting women's lives and health. That the US is seeking to restrict access to this essential healthcare service is moving our country backward and further marginalizing communities who are already suffering. Forcing people to carry an unwanted pregnancy is a human rights violation. In VT, we can protect healthcare and human rights by passing the Reproductive Liberty Amendment.

I am also the mother/stepmother of four 20 something young adults who deserve the bodily autonomy I had when I chose to become a parent. I am here tonight for my children and my patients. I urge you to pass Prop 5, The Reproductive Liberty Amendment.

Thank you for your time

There were 961 Vermont babies not allowed to live in 2019, more since then. Usually the mother of the child is coerced into having her abortion. It is the woman who suffers the trauma of the death. No matter how gender is jiggered, only women can have babies. Ultimately, it is the woman who is responsible for the death of the baby growing in her womb. Would you want this death on your conscience? It is easy for loud voices to be heard in favor of abortion. What is not heard is the silence when the baby is not born because there is no voice to speak in its behalf. Also, what is not heard is the mourning of the woman who has the abortion. She cries alone because it is her loss.

I am a voice crying in the wilderness for the voices that can no longer speak. Vote "no" for Proposition 5.

Molly M. Jesse Essex, VT mollyjesse@comcast.net

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Do black lives matter when it comes to abortion?

- (A) Black children in the United States have not had, and do not have today, an equal opportunity to survive until birth.
  - The most recent CDC report on abortion in the United States indicates that, in 2016, the Non-Hispanic Black abortion rate (25.1 abortions per 1,000 women age 15-44) was 3.8 times the Non-Hispanic White rate of 6.6.
  - Between 2007-2016, the Black rate declined 29% and the White rate declined 33%-meaning that the racial disparity actually increased rather than decreased during that time period.

Black women have been experiencing abortions at a rate nearly 4 times that of White women for more than 30 years.

- Between 1990-2014, the CDC national average (aggregating all available states and years) Black/White abortion rate disparity for the entire period was 3.44. The 1990 disparity was 3.00 (B 25.87/W 8.63) and by 2014 it was 3.64 (B 12.68/W 3.48).
- In data collected directly from the individual states (not from CDC) for the more recent calendar year 2018, the 27 reporting states average a Black abortion rate of 21.78 and a White abortion rate of 6.38 for a racial disparity of 3.41.

Given its high incidence and racially skewed distribution, abortion is unquestionably the most demographically consequential occurrence for the minority community. Its impact on the size and racial composition of the nation is undeniable.

**Source:** James Studnicki, John W. Fisher and James L. Sherley, "Perceiving and Addressing the Pervasive Racial Disparity in Abortion," *Health Services Research and Managerial Epidemiology*, Volume 7, 2020.

(B) For Vermont in 2019, black women experienced abortions at a rate of 4.4 times that of white women (B 12.30/W 2.79) [1, 2]

#### **Data sources:**

- [1] Annual Estimates of the Resident Population by Sex, Race, and Hispanic Origin for Vermont: April 1, 2010 to July 1, 2019 (SC-EST2019-SR11H-50).
- [2] Vermont Vital Statistics Annual Report, 2019.

I am opposed to Proposal 5, and I urge members of the Vermont House to vote a resounding "no".

Richard R. Jesse Essex, VT <u>richard.jesse@comcast.net</u>

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I am opposed to Proposal 5, and I urge members of the Vermont House to vote a resounding "no".

Richard R. Jesse Essex, VT <u>richard.jesse@comcast.net</u> My name is Allison Menard, and I am a resident of Highgate, VT. I am a wife, mother of two children, and a Registered Nurse. I oppose Proposal 5 - the radical amendment that would allow abortion up to the day of the baby's delivery - to become a Constitutional right in Vermont.

The number one case of death in the U.S. for 2021 was abortion. More babies were aborted in our nation than any other leading cause of death including heart disease, cancer, or COVID-19. (<a href="https://www.cdc.gov/nchs/fastats/leading-causes-of-death.htm">https://www.cdc.gov/nchs/fastats/leading-causes-of-death.htm</a>, <a href="https://worldpopulationreview.com/state-rankings/abortion-rates-by-state">https://worldpopulationreview.com/state-rankings/abortion-rates-by-state</a>).

Here are several reasons that I oppose Proposal 5:

First, proposal 5 is inhumane. The amendment removes opportunity for future legislators to legally protect an unborn baby at any time throughout all nine months of pregnancy. While 215 plants and animals have legal protection in Vermont, unborn children will not be protected under Proposal 5.

Second, Proposal 5 is dangerous. Abortion businesses would be shielded from state oversight or regulation. For the safety of women, wouldn't standards and regulation of abortion facilities result in better conditions and care? We wouldn't want our hospitals where we receive care to not undergo regular inspection. We should also require the same safety and cleanliness standards to apply to abortion clinics.

Third, Proposal 5 is unconscionable. Medical professionals would be prevented from conscientiously objecting to participation in procedures that they find morally reprehensible or that go against their best medical judgement. Our doctors and nurses would be forced to preform abortions or be forbidden to practice medicine in the state.

Fourth, Proposal 5 is consequential. Parents would be prevented from any involvement in the most serious decisions regarding their minor children including abortion, sterilization, and transgender hormones or surgeries.

No other state has added language to enshrine unlimited abortion rights in their state constitution.

Vermont is a state that has long been interested in protecting civil liberties and ensuring individuals receive equal treatment under the law. Why are we allowing unborn children to be denied the basic human right to life? Who could ever support performing an abortion on a child who is fully developed and capable of surviving outside the womb? Every life has value and deserves protection under law.

Once this amendment is enshrined in the Constitution, Vermont voters will have no way of reversing these policies. This outcome would be unacceptable to me.

Sincerely,

Allison Menard

### **Proposal 5 Public Comment**

My name is Diana Whitney and I live in Brattleboro. I'm a writer, teacher, and advocate for survivors of sexual violence. But I'm here tonight as a mother of two daughters, a mother who believes in gender equity and reproductive freedom for all people. When I was 19, a sophomore at Dartmouth College and a varsity athlete, I got pregnant accidentally and found myself in crisis. I was scared and lonely, but fortunate to have access to high-quality health care and compassionate medical providers. With the support of my parents and boyfriend, I had a safe abortion at 8 weeks and was able to stay in school. Although I grieved the loss and needed time to heal, I never regretted having that abortion. I was a teenager, and I knew I was not prepared to raise a child. I believed then, as I do now, that every child should be wanted, and that no person should be forced to carry an unintended pregnancy to term.

I grew up, got married, and had two healthy, beautiful babies who are now teenagers themselves, young women who fear their bodily autonomy is in jeopardy. They know about my college pregnancy, and they know that when I was 40 and they were little, I got accidentally pregnant again and had to make a difficult health decision with the help of my doctor. Due to a chronic pelvic condition and the need for surgery, I decided to terminate the pregnancy at 6 weeks via medical abortion. I am grateful that I lived in Vermont, where I had the dignity and the liberty to consult with a skilled provider about my care.

I believe all Vermonters should have this same dignity and freedom, and I ask you to please pass the Reproductive Liberty Amendment to ensure they do. Thank you so much for your time.

January 26, 2022 Brattleboro, Vermont To Members of the House Human Services Committee,

Regarding Proposal 5:

When reporting on Proposal 5, the news media has referred to it as the abortion proposal. Were they wrong?

The phrase "personal reproductive autonomy" in Proposal 5 is, I feel, vague and ambiguous language, euphemistic and open to misinterpretation.

If the intended purpose of Proposal 5 is to enshrine in our state constitution unrestricted abortion, for any reason and throughout the entire nine months of pregnancy, why, then, does not the language of this proposal specifically state this? "Abortion" is not mentioned even once in the entire text of this Proposal.

Phrases like "reproductive liberty" and "personal reproductive autonomy," is obscure and misleading rhetoric, borders on deception, and raises suspicion of a hidden agenda.

The people of Vermont deserve to know the exact ramifications of Proposal 5 and the full extent of its reach. It needs to be spelled out precisely and with clarify. It behooves the members of the Legislature to be forthright and open with their constituency so that nothing is left open to question or false interpretation.

The people of Vermont expect honesty and truthfulness from those who are duly elected to represent them, not only in speech but in that which is written. Surely no one wants to be blindsided or feel deceived in any way.

It would be a very sad day if Vermont enshrines in its constitution an amendment that sanctions the deliberate taking of innocent human life. To deny that the embryo/fetus/child in the womb is anything but human life is to deny reality and refutes science. Abortion is antithetical to life, devalues it, and dishonors and demeans the dignity of women.

If, indeed, abortion is its intended purpose, the proposed amendment as written does not belong in the Vermont Constitution. It would be an affront to all that is good and respected about Vermont.

As a registered Vermont voter, I urge you to vote NO on Proposal 5.

Thank you.

Marjorie Hennessey 25 Sky Drive Burlington, VT 05408 marjh27@gmail.com My name is Allie Stickney. I live in Shelburne, Vermont.

I moved to Vermont in 1968, a mother with two young children, when abortion was not legal here or in any other state. In 1970, I became involved with the Planned Parenthood Problem Pregnancy Team, a group of trained volunteers based in Burlington who helped provide phone information to people about where to access a safe, though not necessarily legal, abortion. What we were doing -- providing information about abortion -- was illegal. Most of our referrals were to Dr. Henry Morgentaler, a physician in Montreal. I can remember my anticipation when I took the first call. I imagined I would hear the voice of a young woman. Instead, the very first caller was a man, a self-described middle-aged man; he and his wife had four mostly grown children and were faced with an unintended pregnancy. He and his wife were desperate. I've never forgotten his voice.

The need to make the most personal of choices about our reproductive lives touches all people. Regardless of income, regardless of age, regardless of race, ethnicity, religion, sexual orientation or gender, all people deserve the respect and freedom to wrestle with and implement their own decision making free from government intrusion. The government has no role in those choices. The 1973 Supreme Court decision in Roe v. Wade has protected most of those choices through the last 49 years.

But most likely we will face an altered world once the Supreme Court rules in the coming six months on whether abortion is a fundamental constitutional right. If, as it appears, the US Supreme Court will declare there is no such fundamental constitutional right and leave the matter to states, Vermont must assure that it remains a sanctuary of safety, a place where all people can safely make voluntary decisions about their reproductive health and lives.

The Reproductive Liberty Amendment, Proposal 5, is crafted so that it makes clear the intent to protect the right of every Vermonter to make their own reproductive decisions, whether it is to become a parent, use temporary or permanent birth control or to seek abortion. The Reproductive Liberty Amendment will not only continue to provide the protections of personal choice for Vermont citizens for their most intimate of decisions but will assure that those choices are protected into the future regardless of a politician's belief or who sits in the governor's chair or which party controls the legislature.

When I was a young woman, my world had too many stories, both known or only hinted at, of desperate measures by women, of women's lives lost to dangerous abortions, of abortions secured at a terrible price - loss of one's fertility - of safe abortion secured only if one had money to fly halfway around the world, of young women "going away to visit an aunt" for a few months, until a baby was delivered and put up for adoption, a time in one's life to be covered up and hidden away.

Let Vermont's story be one of protection, protection of the most basic intimate and human rights of people, the right to determine when and if to have children, the right of women to be in charge of their own bodies, the right of all citizens to the protection of their reproductive liberty.

I would like to concur with Luke Waite of Manchester Center, VT in opposing Proposal 5.

Abortion does not belong in any constitution, no matter how it is disguised or renamed.

"I would like to voice my concern with Proposal 5, regarding personal reproductive autonomy. Among other things, this proposal seeks to enshrine abortion as a constitutional right for the state of Vermont. As a Christian who believes in the authority of the Bible, I am convinced that this proposal goes against the command of God not to murder human beings, those creatures created in the image of God. I recognize that not all Vermonters hold my same view, and yet a significant number do believe as I do, that to abort an unborn child is an act of murder. Therefore, I must communicate that I believe this proposal opposes God and His Word. To claim to promote the rights of citizens and women while denying the rights of and killing the unborn is a hollow and empty undertaking.

My concerns, however, do not stop with merely the act of abortion. If Proposal 5 passes, it will have a profound impact on other Christians who share my convictions. If "personal reproductive autonomy" is granted as a constitutional right, what will happen to pastors, clergy, or even individuals who speak against abortion, prostitution, or transgenderism, issues which Proposal 5 will also affect? Will they be fined or imprisoned for remaining true to and communicating their religious convictions, two other rights granted to us as American citizens? Will Christians be forced to leave Vermont in order to safely practice and hold to precious sentiments of faith because they cannot safely or legally hold to their convictions in light of the state's constitution? These are important issues that all Vermonters must consider. This is not merely a case of Pro-life vs. Pro-abortion, but of religious freedom in a country that was founded on such principles.

I ask you to please not pass Proposal 5. Please reject this proposal in order to preserve the lives of the unborn, as well as to preserve the freedom of religion and freedom of speech for the born."

Illari Vihinen

Barre, VT

Dear House Human Services Committee,

Over the course of thirty or more years of fertility, there are countless reasons why a pregnant person might choose to end a pregnancy. While the freedom to make that choice is essential to liberty, dignity, and equality, it has - unfortunately - become a game piece in national political strategy. I'm am writing today to ask that the House affirm the Reproductive Liberty Amendment to protect the rights currently in place in Vermont from the sorts of restrictions or prohibitions we have lately seen in Texas and Mississippi. The threat to long-standing reproductive rights here in Vermont is very real and very imminent.

As a middle-aged father of two, I have seen my peers' need for abortion care evolve from issues around teenage pregnancy to those of so-called advanced maternal age pregnancy. At any age, pregnancy may interfere with education, with work, or with the ability to care for other dependents. It may be that a pregnant person can't afford, or feels otherwise unequipped, to care for a baby. Those reasons are as real for a seventeen year old as they are for a forty-five year old. The decision to become a parent is perhaps the most important decision we can make as human beings. The people of Vermont deserve the freedom to choose whether and when to have children, regardless of what's happening in Washington DC.

I hope I never have to speak to my own children about reproductive rights that no longer exist in Vermont. I hope they don't grow up in a state, like others, where safe abortion care is a luxury afforded only to the wealthy - the inevitable result of abortion restrictions, as has been proven wherever and whenever access has been suppressed. I hope they are never forced to choose an unsafe, illegal abortion for themselves because the Reproductive Liberty Amendment didn't garner the support it merits.

Thank you for your consideration and support of the Reproductive Liberty Amendment.

Creston Lea Burlington Dear Legislator,

If you truly care about women, Vote No on Proposal 5! --- Just as it was revealed by the 'Me, too! Movement' that women were being sexually exploited by unscrupulous people in power over them, Proposal 5 would exploit women' natural reproductive abilities for financial gain and extremely dangerous ideological beliefs. Proposal 5 is an attempt to convince women that they should have the "right" to abortion right up through birth for any reason, with no limitations or regulatory supervision by the State, thereby going way beyond what was approved by the Roe vs Wade decision.

What women don't realize is that Proposal 5:

- . will not require any pre- abortion exams or tests to check on the woman's general health or to have an ultrasound even during mid and late term abortions because it will be up to each practitioner to make their own medical choices.
- . will not require any pre/post abortion counseling, or informed consent, so women would not be told that "87% of deaths in women who chose to terminate their pregnancies after 8 weeks may have been avoidable if these women had accessed abortion services before 8 weeks gestation." (PubMed web-site, Risk factors for legal induced abortion related mortality in the U.S.
- . will not require a licensed physician to perform abortions, even at mid-term and late-term stages
- . will not require any public health or State supervision or Standards for abortion facilities
- . will provide special malpractice protection for abortion providers, but there is no legal recourse for the women who suffer medical problems/death as a result of poorly done abortions.
- . will put women who want to carry their babies to term at risk of abuse/ or death by others who want them to terminate their pregnancy.
- . will set up the perfect protection for unscrupulous abortion providers to take advantage of vulnerable women since there will be no state or government supervision.
- . will allow perpetrators of sexual abuse and/or sex traffickers to go undiscovered and unpunished because the state will not have any oversight or require records to be kept.
- . will allow babies to be aborted even after they reach viability, and to feel horrific pain if aborted after 20 weeks gestation
- . will make experimentation on embryos and fetuses legal
- . will make the sale of aborted body parts legal
- . will strip conscience protection rights from doctors, nurses and others.
- . will not allow any exceptions or restrictions on a person's "right" to an abortion, including parental rights over minors
- . will not require any pre/post abortion counseling, or informed consent, resulting in women not being told that "87% of deaths in women who chose to terminate their pregnancies after 8 weeks may have been avoidable if these women had accessed abortion services before 8 weeks gestation." (PubMed web-site, *Risk factors for legal induced abortion related mortality in the U.S.*) And, a woman might also want to know that according an Obstetrics and Gynecology Annual Report," mid-trimester pregnancy must be carefully evaluated prior to an abortion by pelvic examination, sonograms and laboratory tests... because complications associated with D&E are: failure to dilate, trapped calvarium, fragmented

placenta, hemorrhage, cervical lacerations and infection. The incidence rate for these complications increases after 16 weeks gestation."

Proposal 5 is Intentionally vague, reckless, open-ended, and a threat to Human Rights. It is completely undeserving of becoming an amendment to the Vermont Constitution. And, according to Planned Parenthood's own Vermont spokesperson, Proposal 5 "will open up a range of different questions for future lawmakers...for years to come." (Paige Feeser, Public Affairs Organizer for Planned Parenthood, 7/30/2020).

So, if mid and late trimester abortions can be so dangerous for women, if the state is not willing to protect the health and safety of women having abortions, and if modern science has proven that unborn children can feel pain after 20 weeks of gestation, why are our Democrat legislators fighting so hard to drive through this amendment to the Vermont Constitution? Who has the most to gain? Surely, it's not the unborn children or the vulnerable women. If you follow the money trail, it's clear that it's the abortion providers who will profit from increased abortions. They don't really care about women; they care about profits! The later the abortion is done, the more it costs, plus if the organs and other tissues are more developed, the more money they will bring in. The National Institute of Health, using federal tax dollars, created a demand for late-term aborted babies to make at least two types of "humanized mice" to use in experiments dealing with HIV therapies. The actual amount of the contract was \$13,799,501. (CNSNews.com \$13,799,501 Federal Contract Requires UC San Francisco to Obtain Aborted-Baby Parts to Humanize Mice, Terence P. Jeffrey, October 17, 2018).

In its 2016 Annual Report, Planned Parenthood reported a record income of \$1.46 billion. Nearly \$533 million came from private contributions, nearly \$544 million in taxpayer funding in the form of government grants, contracts and Medicaid reimbursements. It included \$98.5 million in excess revenue and more than \$1.6 billion in net assets.

Planned Parenthood is creating its own demand for unrestricted abortion while abusing innocent, unborn, human life, misleading the people who work for them into thinking they are "helping women", while risking the lives and well-being of women having abortions, all to serve their need for power and grotesque financial gain! Let's not be deceived by these charlatans. Clearly, our legislators must live up to our government's purpose as being "for the common benefit, protection and security of the people." Hopefully, that still includes women and the unborn!

Sincerely,

Donna and Bill Scott, N. Ferrisburgh. VT

802.425.2370

## 296 Breezy Hill Road St Johnsbury, Vermont 05819

pamleesmith@outlook.com

**TO: Members of the House Committee on Human Services** 

**Subject: Proposal 5 – Public Comment** 

From: Pamela L. Smith

I urge you to <u>vote No on Proposal 5</u> that would add an Amendment to the Vermont Constitution for the following reasons:

- 1. There are NO date limits as to when an abortion could be performed. This means right up until just before delivery.
- 2. If a pregnant woman is killed by a drunk driver or murdered, the perpetrator can be charged with two deaths, one of which is still in the uterus, yet a woman could choose to be rid of "kill" a fetus of the same length of existence/life without repercussions.
- 3. A heartbeat may first be detected via vaginal ultrasound at 6 weeks, to me this means there is life. The brain is also beginning to develop.
- 4. Fetal/infant movement can be felt as early as 16 weeks (4 months).
- 5. Currently in the United States the delivery of an infant at 25 weeks (6 months 1 week) having a normal survival is 50 56%.
- 6. As a new graduate I worked in an operating room in a city in the 70s when abortions were legalized and I can still see the results; called products of conception, that occurred at 12 14 weeks including little bodies arms and legs. Emergencies would come in from clinics doing later abortions that were "botched" and the tiny bodies were heartbreaking.
- Today in this state and country is rare (realize it does occur) for a single woman who is pregnant to be ostracized as they were in previous decades and there much better support systems.

Therefore, I again urge this committee to vote no on Proposal 5.

I have been the nurse for an 11 yo having an abortion, a mentally handicap woman who was raped, a 51-year-old woman who was in an ICU and refused an abortion until tests showed multiple birth defects including no brain development and I would be involved again in such circumstances without hesitation. All these occurred under general anesthesia so the developing infant felt no pain.

Although science indicates a fetus may not feel pain before about 26 weeks, it also reveals they can react to stimuli such as the mothers voice around 18 weeks, again seems like a living entity to me. Allowing late term abortions as Proposal 5 currently seems to indicate could only be painful for the infant unless under general anesthesia.

If after much thoughtful discussion it's felt the Proposal 5 must go forward, I would urge that it be rewritten to include date limitations preferably an upper limit of 12 weeks into a pregnancy. I support the importance of life at all stages, but do believe there are limited circumstances for an abortion: rape, incest, the woman is mentally handicapped and may have been raped, a child under 14 (or 16), a woman's life is at stake. I do realize antibiotics could negate some forms of birth control pills thus a pregnancy ensues. This should be made very clear verbally and in writing by a provider to their patient.

Thank you for seeking public input.

Pamela L. Smith, RN, Retired

25 January 2022

Susan Connerty 711 Barnes Hill Road Stowe, Vermont 05672

January 26, 2022

Dear House and Human Services Committee,

Thank you for this opportunity to give public comment on Proposal 5. I urge you to vote "no". We already have abortion laws in place. No matter what the Supreme Court decides about Roe vs. Wade, Vermont law will not be affected. Not only is Proposal 5 awful, it's unnecessary.

"Enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety," are all "natural, inherent, and unalienable rights" in Chapter 1, Article 1 of Vermont's Constitution. Reproductive rights are not even close to the same category as these natural rights and therefore, do not belong in Vermont's Constitution.

How can we, in Vermont, give legal protections to plants and animals, and not protect unborn children? Here we are, importing families to offset our aging population, overlooking our greatest resource here, natural born Vermonters. We need to encourage growing families and protect preborn children.

Proposal 5 guarantees every Vermonter, regardless of age, "reproductive autonomy". Do you really want parents excluded from serious decisions (abortion, transgender hormones, surgery, sterilization, ...) regarding their minor children? Our two children are witnesses to the far better solution of adoption and parental involvement.

It is not fair for taxpayers to pay for other people's reproductive choices.

How will medical professionals conscientiously objecting to participation in procedures they find morally reprehensible or against their best medical judgement be protected? Will we lose the best, most compassionate and brightest from our medical community?

Please, vote "no" against simply dreadful Proposal 5.

Sincerely, Susan Connerty 10 Peacham Lane

Essex, Vermont 05452

To the Legislation body of Vermont,

I am submitting a written opposition to the abortion bill, Proposal 5.

As a Vermont resident and tax payer, mother, and Christian I am opposed to abortion in Vermont.

KILLING a baby in the womb has now expanded to killing a baby at birth. My God! Where do you put the guilt, you have killing these innocent, voiceless individuals? The blood of these unnamed children is not only on the hands of the doctors wiling to do this but also on your hands as legislators and the Governor, pushing for this. How much are you all getting in private funding to go along with this? Is Planned Parenthood, a divisive political group, paying enough to have this on your conscious? I am embarrassed and ashamed of all you who voted for this. Funding of Planned Parenthood by taxpayer money is also unconstitutional.

These babies are alive and have rights just like if they had been born. "Do not kill" is a primary law on the books and for generations we have honored it. It is the law!! How do you not come off as murderers? Where do you draw the line? Do you now end the life of anyone who is unwanted or sick? Do you extinguish the elderly next? Anyone who is inconvenient for your lifestyle right now? How do you live with yourselves??

I was a teenager once and I knew about Planned Parenthood. Many of my friends may have visited for services. It seems surrealistic to me that one would kill a baby in a womb. Many of these girls were ostracized because of their lack of common sense and looseness. Now we perpetuate that behavior instead of teaching them to hold off until marriage or counseling them. We, as a society, condone sex through ads, magazines, parent attitudes, etc. for teens. When girls/women do get pregnant, we teach them to murder the child created by the union, however it occurred. It's become a casual act rather then a reserved one. We're on the wrong path and we are not using common sense. Murder is murder and women suffer emotionally for the rest of their lives because of it. They can't see the future, they can't see consequences, they are enabled to the point of not being able to feel emotions. Do you want to perpetuate an emotionless society? One that can't see into the future or is responsible for their own behavior? I don't. It's time to teach responsible behavior to both men and women. It's time to come down hard on anyone who abuses another. I have seen many cases of males not being arrested or punished for their abusive and harassing behavior toward women in this state. Where are the judges? Are they all asleep? Or are they all corrupt?! Women are not honored or respected nor do many of them hold themselves to this value.

I understand women who are raped may not want to carry a child of a perpetrator, but there are other early interventions available to make sure they do not carry that reminder. I feel for these women as victims of male cruelty. There is also adoption. I'm not against contraception, I'm against killing babies in the womb. I'm against murdering a child! I'm against murder! There is no easy answer to some circumstances but, there is compassion, education, mentoring, adoption, and the law. We must follow

the laws God gave us, laws that were respected, valued, and written as the basics into our Constitution and Bill of rights.

I will hold the Legislature responsible for every death by abortion that takes place in our state. I will hold the insensitive and corrupt judges responsible for not punishing men for abusing woman. You are the leaders, the law makers the people elected to make the laws. This is a bad decision on Vermont's part! I am against it all!! I hope someday I get a chance to turn it around.

Disgusted with Vermont politics,

Barbara Greck

Hello, my name is Jo Schneiderman and I am from Guilford. I am a retired non-profit administrator. I am speaking in favor of SB5.

In 1969, when I was a freshman in College, I travelled from VT to Maryland to have a legal abortion. At that time, Maryland was the only state with a liberalized abortion law which permitted abortion in the case of danger to the health of the mother. And lucky for me, I was a Maryland resident.

This experience was difficult and it cost me \$300, the equivalent today of at least \$3000. As a result, I had to use all the money I earned working throughout college to pay off this debt. On the other hand, terminating this pregnancy also meant that I was able to graduate college and ensured a decent future for me.

I support SB5 because I believe strongly that a woman's decision about her own health should be a decision made between the woman and her health care provider. At this time when Roe v Wade is likely to be overturned and reproductive rights will be rolled back 50 years, Vermont can be the beacon of hope that Maryland was for me 53 years ago. Vermont has consistently led the country in human rights legislation. Let's keep it that way.

I submit this testimony specifically to comment on Proposal 5, which proposes to affirm in the Vermont constitution "an individual's right to personal reproductive autonomy."

To be clear and forthright as to my background, I am a pastor in the Christian tradition. I personally adhere to ideals and strict precepts regarding the morals, rights, and duties of men and women, including all things that pertain to the human faculties of reproduction. My faith has indeed given me a strong moral code to which I feel compelled to "live up to." My faith has also given me great examples of generosity, of heroism, and of love and tenacity in the examples of family choices, the many dramatic considerations in reproductive decisions.

I am well aware that the ethical criteria to which I hold myself are far more strict than any set of laws or constitutional obligations that could be imposed by the state of Vermont. Yet this only strengthens my hopes to dialogue about important issues as I here explain my concerns, that Proposal 5 is contradictory in its implications for society, or at least dangerously unsatisfactory in its articulation.

I state this not because Proposal 5 proposes to exclude government imposition of most all moral codes pertaining to choices proximate or remote to the accomplishment of "reproduction," but because it is negligent in its failure to affirm, even to recognize, positive responsibilities which ought to be part of all reproductive choices. The view of autonomy that Proposal 5 pushes forward is dangerously imbalanced, in favor of personal wishes without care for societal responsibilities. Those responsibilities must certainly apply in some ways to reproductive choices. Ideally some specific responsibilities would be articulated in Proposal 5, if not in the Article of Amendment. Merely to affirm that some responsibilities exist would be a start. The abandonment of all responsibilities (say, for example, towards today's children let alone tomorrow's) is synonymous with the very destruction of society.

Our state constitution is filled with imperatives, duties, and various objectives which "ought" to be done. It is also true that a key purpose of the constitution is to enumerate those things that the government "ought not" do in the face of citizen's rights. Yet I propose to the people of Vermont that the government most certainly "ought not" inflate the sense of individualism and autonomy to such a degree that the sense of familial and communal responsibility is neglected and rendered to a legal trash bin. Highlighting individual autonomy, as attached exclusively to sexual matters by the category of "reproductive," seems to do just this.

Our constitution insists upon the positive responsibility to defend the life and the rights of citizens "born equally free and independent [with] certain natural, inherent, and unalienable rights." The unanswered question must be brought up, of why the same rights, enumerated after birth, seem to be denied categorically to all human beings prior to the minute of their birth. I propose that the question reveals a dilemma almost especially from the pro-choice standpoint. Reproductive autonomy is said to include, but not be limited to, the defense of the reproductive rights for persons contemplating either the continuation of, or the termination of, a pregnancy. If this reproductive autonomy is nothing more than this, then Proposal 5 is indeed mere legal jargon to assert abortion rights in the constitution. I might make a pragmatic concession that the people of Vermont could decide on the issue, the legal jargon being explained. But if this autonomy

extends beyond the choices impacting on pregnancy, then it must impact upon the choices to parent children, and it must logically be limited by responsibility. Parenting is nearly the opposite of autonomy precisely in the taking up of praiseworthy responsibilities for other persons: by birth, by adoption, even by foster parenting. I think it is plain to see the limits of glorifying the so-called "liberty and dignity to determine one's own life course" when choices of sexuality and reproduction are brought forward devoid of any thought pertaining to responsibilities for family, for community, and for society.

I conclude with several questions elicited here. Are Vermonters prepared to draw the appropriate lines between autonomy and responsibility that are neglected in this proposal? Will Vermonters be afforded just and fair opportunities to negotiate the balance of these responsibilities in the public sphere, and determine the proper measure with which to represent them in law? Or will our representatives in Montpelier impose, at some indeterminate, later date the responsibilities that they decide should be applicable to all citizens on the issues of reproduction, sexuality, and parenting choices?

Rev. Timothy Naples

South Burlington

Dear fellow Vermonters,

I am asking you to vote No on the Constitutional Amendment called Prop 5.

Americans once thought the black slave was less than human and he was deprived of basic rights of life and liberty.

Jews in Nazi Germany were thought to be subhuman and they were "exterminated".

Past "civilizations" left unwanted babies out to die and today we consider this practice barbaric.

100 years from now people looking back will consider our willful ignorance about the unique life of the unborn in the same way.

This issue is framed as a rights issue for women but it is just a valid as the slave owner's right to his slave property. What we *need* is substantial help for women who find themselves in a surprise pregnancy.

The child I killed through abortion in my youth will always haunt me. I thought I needed to do it to hide that I was sexually active. Now I realize we would have weathered it out; people would not have been as shocked as I naively thought. And pregnancy is not the disease I thought it was. Later, when I had children, I realized the only difference between a "fetus" and an "unborn baby" is the attitude of the mother and father. No physical difference whatsoever. I murdered a baby. It is a dreadful burden for a woman to carry the rest of her life.

Please give me the respect to read what I have just written as a flat statement of clear-minded assessment, not as the ravings of a warped mind on this issue. I have come to terms with it and I ask that you not dismiss my sense of guilt out of hand.

If a white man does not have the right to take a black man's life through slavery, a woman does not have the right to end the life of an unborn child. Protect the next generation and support the mothers.

Thank you for reading. Ruth Holleran House Human Services, Honorable representatives, and members of the general public,

Thank you for the opportunity to bear testimony and comment on Proposal 5.

My wife is about to give birth to our first daughter, Rosemary Ana Clark – due date, February 9<sup>th</sup>. I am a citizen of Vermont and a soon-to-be father with a vested interest in our state's evaluation of an unborn child.

Even at 8 weeks, I heard her heart beating. Around 10 weeks, I witnessed her performing acrobatics in mommy's tummy. In the past few months, I've read to her family devotions as she waxes in peace. I speak to her, and she responds with wild quivering and kicking. I play piano and sing for her, and in a way, she sings back. From beginning to end, she has been precious, and will always be.

Why then does the State place such a low value upon my Rosemary's life? Why does this legislation fail to at all acknowledge the value of my daughter? Why, on the other hand, does it loudly declare that my Rosemary has no value at all?

According to this legislation, she has no right to life except for what others decide for her; she has no intrinsic value except what others place upon her; she has no choice in the matter except what others make for her; she has no liberty, because her liberty has been subjected to the comforts and whims of others (i.e. slavery).

It is grievous that there is nothing in this proposal that would at all suggest her value. There is no restriction whatsoever on abortion — unless you include "unless justified by a compelling State interest achieved by the least restrictive means," which is utterly incomprehensible and meaningless as to when or how such an occasion could ever occur, and with its clumsy phrasing could even be used some day to make an allowance for sterilization or force abortion! That aside, this proposal guarantees that Rosemary has no right to life or liberty in the eyes of the State, even up until birth. No, not until she passes through the magical birth canal and then gains humanity and rights. But in the eyes of her father, she had value long before that.

I take issue with the State legislating such an evaluation of any innocent human life. It is an evaluation which disarms the weak and voiceless by conferring absolute powers upon other individuals – bypassing any meaningful restrictions or provisions. This is delusion of the highest order and a horrifying debasement of children.

In short, this proposition does not guarantee **equality** – it **guarantees** inequality for the unborn.

This proposition does not purchase **liberty** – it sells the unborn as **slaves** to the whims and wills of others.

This proposition does not afford any **benefit** for the unborn – it confers **slaughter** upon them.

This proposition does confer **protections** to the unborn – it hands them over to the sword.

This proposition does not wash clean the hands of Vermonters (under the guise of so-called "reproductive liberty"), it bathes Vermonters' in the blood of innocents.

But this is a legislation that issues from a calloused heart, a stiff neck, and hard head. How can I hope that you will feel the weight of my appeal? If you do not listen to your own **consciences**, how will you listen to my testimony? If you do not listen to what nature teaches you – that a people should **protect** and not murder their children – then how will you listen to what God says? But your ears are stopped by God so as to always fill up your measure of wrath.

I tell you this – if you hand innocents to slavery so easily, God will hand you over to slavery.

If you hand over children to slaughter, God will hand you over to slaughter.

As you hand over children to altars of convenience, so God will devote you to the altar of destruction.

Though He has patiently endured with you, you must not presume upon His kindness. For soon, a day of wrath will come for you from heaven as clear as the day. So I call on you to turn away from your sin, to call upon the Lord for mercy and forgiveness in a day when grace may as of yet be found.

May God have mercy on us all.

In Christ, Aaron J. Clark 40 George St, Montpelier, VT 05602 (802)922-8333