

Written Testimony

S 1085

2-15-2021

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WRITTEN TESTIMONY IN SUPPORT OF
SENATE BILL 1085 – FETAL HEARTBEAT PREBORN CHILD PROTECTION ACT

Human Rights. What is it to be human? And what are rights? Science identifies and classifies humans by DNA. What makes a human and not a cat? DNA. A zygote in the womb of a woman at the moment of conception has its own completely unique human DNA. This is unchallenged in the field of biology. A human is a human from the moment of conception. There is no debate or question about this fact.

What are rights? The Declaration of Independence, upon which our nation was founded says in part “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.” Our nation’s founding document continues to define for us today what rights are.

They are:

- 1) Self-evident – clearly obvious and known to all.

- 2) Given by our Creator, not the governments of men. Therefore, these rights are completely out of the legislated reach and infringement of governments. Rights which are not granted by the government, cannot be revoked or denied by the government.
- 3) Include the "Right to Life."

Without the Right to Life, the subsequent rights granted by our Creator and legislatively recognized through governments, are useless. If one is not alive to enjoy "rights", then what good are they? This is why our Founders recognized first that the Right to Life is supreme amongst all rights and is unalienable. Such a plain and evident concept has been shrouded in darkness in our land for too long. It is time we as a people enact laws to achieve the full potential of this great nation. For too long justice has been denied and the unalienable Right to Life taken away from tens of millions of human beings, our fellow Americans.

Women's Rights. Yes, it is true many laws regarding abortion violate woman's rights. They violate a women's unalienable Right to Life because roughly half of all the humans who are murdered through abortion every single day in America, are female. Their unalienable Right to Life was denied. They, as human beings, were not treated equal under the law compared to the rest of the human beings in this nation. Why do we as a nation deny the rights of these woman? Where is their legally protected unalienable Right to Life? Why do we continue to oppress women in the womb through government approval allowing them to be murdered? To be Pro-Woman's rights, fundamentally and foundationally, is to protect the Right to Life of women.

Men's Rights. When our nation allows laws that grant a woman the ability to legally murder their child in their own womb, the rights of men are violated. Not only the men they murder in the womb, being denied the Right to Life, but also the men they conceived the child with. The 14th Amendment to the constitution says in part "No state shall... deny to any person

within its jurisdiction the equal protection of the laws.” The Rights of men are denied when a state sanctions and empowers women to freely murder the children of men. How many men have been denied "equal protection of the laws" because they were forced to watch helplessly, unable to intervene as their daughter or son was murdered under the guise of legislated “woman’s rights”?

Abortion is a horrendous violation of Human Rights to both men and women. The rights of women in the womb, as they are denied the Right to Life and are destroyed. The rights of fathers, who are unjustly denied equal protection under the law being forced to endure the murder of their children. This leaves them unable to protect their children and prevent this tragedy. They have no legal remedy, being unable to seek justice as the laws currently restrict their rights as parents and allow for legalized murder of their children. Why do we as a nation affirm that the only person who is legally allowed kill the child of a man, is the woman he conceived it with?

But why does any of this matter? If we are randomly evolved specs of dust on a planet in a “cold, pitiless and indifferent universe” as Richard Dawkins likes to say, where survival of the fittest reigns, then there is no such thing as “rights”. It doesn’t matter if we violate the supposed “rights” of human beings as they are only here and alive by sheer evolutionary randomness, an accident really. We have no objective meaning and purpose to our existence. It actually doesn’t matter. We are truly free to violate any “rights” of anybody without true consequence since they are here today and gone tomorrow, and so are we. This view says there is no Creator who endowed us with unalienable rights, that Creator doesn’t exist.

However, our founding document does not take that grim position, nor do I. It instead takes the self-evident position that all men are created equal, and endowed with certain

unalienable rights by their Creator. This includes the Right to Life. Science confirms that there is no genetic difference in DNA between humans who are born and unborn, we are all fully human. Not that long ago, many in this nation were viewed as inferior based on the color of their skin. They were seen as not fully human, not truly fit for survival. Their lives did not matter. Many laws were passed which discriminated against them rejecting the ideals of the Declaration of Independence. This resulted in widespread oppression and injustice. These laws denied the reality that they are fully human, equal to the rest of us and deserve to be treated as such. Their unalienable Rights were violated. Today, we look back and recognize that this is an appalling blight on our nation's past. It is a wrong we are still rightly working to correct in society.

But when will society, the people of this land and their elected officials, recognize the same self-evident truth for human beings who aren't born yet? They are not any inferior or less equal than those of us who are born. Yet, we treat them as such, deeming them not fit for survival and refusing to grant them equal protection under our laws. This demonstrates that we do not value their lives as a nation. We are saying once again, some humans in this nation are worthy of dignity, equality and respect, and others are not. God has created each one of us equal and by virtue of being created by Him and carrying His image, our unalienable Right to Life comes from Him, and not the government. Our nation's founding document recognizes this fact, it is time our laws did the same.

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WRITTEN TESTIMONY IN SUPPORT OF
SENATE BILL 1085 - FETAL HEARTBEAT PREBORN CHILD PROTECTION ACT

As Americans we believe that every life is valuable. We believe it is our duty to protect the most vulnerable among us. We believe that no matter who you are or where you come from you have the right to live a life of dignity and purpose. Senate Bill 1085 affirms that “preborn children have interests in life, health, and well-being that should be protected.”

“Some people will argue that a law prohibiting abortion is a wrongful restriction on individual human freedom. Shouldn't the decision about whether to carry a baby to full term and give birth be a decision made by the mother herself? How can it be right to say that the law should force a woman to endure a pregnancy and bear a child that she does not want? Isn't Individual freedom a foundational principle of this country? Sometimes people will say, “I am personally opposed to abortion, but I think that's a decision that should be up to the mother and her doctor.”

In response, individual freedom is of course important and should be protected. But the real question is not freedom in the abstract but what appropriate restrictions the law should place on individual freedom. The law already restricts freedom in many ways that

people agree on. The law does not allow me the freedom to drive while intoxicated or steal my neighbor's car or beat up on someone I don't like or fire a gun inside the city limits – and surely it does not allow parents to put their living children to death. So the question is not human freedom, but whether the law should allow people *freedom to take their child's life*. If the preborn child is considered a human person, the question is whether the government should allow people to commit murder against their own children. Certainly it should not.”¹

Preborn children should have equal protection guaranteed to them under the law, just as it is guaranteed to children outside of the womb. The two do not differ in life or value, the only differences between the two are: location, age, dependency and developmental stage. To say a preborn child is not worthy of life because his or her mother has made that choice, is to affirm that the right to life is not inalienable or intrinsic but rather dependent upon non-essential characteristics. Where does one have to be located for their life to have value? At what age does one gain or lose personhood? How dependent or independent does one have to be to have equal protection under the law? Is there a physical or cognitive developmental stage that qualifies or disqualifies one from their inalienable right to life?

Senate Bill 1085 is one step closer to the equality, justice and fairness everyone in our country longs for and believes in.

¹ Wayne Grudem, *Politics According to the Bible: A Comprehensive Resource for Understanding Modern Political Issues in Light of Scripture* (Grand Rapids: Zondervan, 2010), 165-166.

Twyla Melton

From: Mary Ellen Nourse <maryellen8694@gmail.com>
Sent: Saturday, February 13, 2021 12:24 PM
To: Twyla Melton
Subject: Written Testimony in Support of S 1085 Fetal Heartbeat Bill

Good afternoon, Ms. Melton

I'd like to submit this written testimony in support of S 1085. I hope I'm following correct protocol.--Mary Ellen Nourse, Boise

TESTIMONY IN SUPPORT OF S 1085—FETAL HEARTBEAT PREBORN CHILD PROTECTION ACT

February 15, 2021

Submitted by Mary Ellen Nourse, Ed.D. on behalf of myself and my husband Jim
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“Everyone enjoys a good story, and I have a true story to share with you today that relates to S 1085—the Fetal Heartbeat Preborn Child Protection Act.

Many of us are familiar with Mother Teresa of Calcutta—now St. Teresa of Calcutta. In 1988, I had the special privilege of hearing Mother Teresa speak at a religious event in Memphis, Tennessee. Mother Teresa, who stands less than 5', had been invited to 'say a few words' to the 50,000 of us who were gathered at the mid-South Coliseum. I remember Mother Teresa's sentiments to this day and will paraphrase: 'It is good that you here in the United States are concerned about the poverty in India. However, you have your own poverty problem in your own country that you need to address first. Your country is so poor that you're killing your unborn children.'

Mother Teresa's words are even more apropos for 2021, as unborn children continue to be murdered in their mothers' wombs. Please support Senate Bill 2085—the Fetal Heartbeat Preborn Child Protection Act.”

Twyla Melton

From: Caitlin Gustafson <caitlingus@gmail.com>
Sent: Sunday, February 14, 2021 8:50 AM
To: Twyla Melton
Subject: No on SB 1085

I am a family physician in rural Idaho who knows that abortion bans are out of touch with the real experiences of American people and American values. 1 in 4 women will have an abortion in their lifetime and 7 in 10 Americans support legal access to abortion care. Banning abortion will not make abortion less frequent, it will just make it more dangerous. An abortion ban in Idaho will send women travelling long distances and across state lines for this care, and increase their health risks. This will disproportionately affect low-income women and communities of color who are already at higher risk for adverse health outcomes.

Improving access to healthcare including comprehensive contraceptive care can decrease the frequency of unintended pregnancy for Idahoans, and this should be the focus of a legislature that is working to protect the health of the citizens of Idaho.

Caitlin Gustafson, MD

McCall, Idaho