



Proverbs 14:34

Pro-Family Network

Because "It Takes A Father And A Mother To Raise A Child"

Mr. Chairman and Members Of the House Health Committee. I am Gregory Quinlan President of Pro-Family Network, a Christian Family Advocacy group based in Dayton, OH. Thank you for the opportunity to present testimony on HB 228. Pro Family Network would first like to begin by acknowledging the courage and moral convictions and leadership of Rep. Tom Brinkman of Cincinnati for introducing the legislation to ban abortion in Ohio.

Pro-Family Network would also point out the timing, and the deliberate delay by the House leadership regarding this vital piece of legislation, thus securing its inevitable demise this General Assembly. The real Pro Life community in Ohio has noticed the politics and the lack of moral leadership with HB 228, introduced April 28, of last year and not assigned to committee until nearly one year later.

For Tom Condit an attorney from Cincinnati and a member of the Board of Directors for the Pro-Family Network.

The constitutional right to abortion, as fabricated in Roe v. Wade, was a lie from the beginning. No serious constitutional scholar believes that Roe v. Wade was anything but judicial legislation, striking down the abortion laws in all 50 states based upon a constitutional right that no one else – not even the founding fathers – had discovered for nearly 200 years. That problem was compounded by the subsequent development that the Supreme Court refused to enforce Roe as it was written, as proven twice in the past 15 years.

The first time arose in 1992 with Planned Parenthood v. Casey, when the Supreme Court, claiming to uphold Roe, actually abandoned the Roe standard and created a new one while striking down a Pennsylvania law. The second time came in 2000 when the Court could not bring itself to uphold Nebraska's partial birth abortion law. If, as Roe claimed, the government has a constitutional interest in protecting fetal life in the third trimester of pregnancy, one would have expected the Court to uphold a law prohibiting abortionists from sucking the brains out of live babies during delivery.

But again Roe was all a lie from the beginning and for the past 32 years legislators have found it nearly impossible to pass abortion laws that could survive the Supreme Court's unknowable and ever-evolving standards. This reality was best described in a dissenting opinion when the Sixth Circuit Court of Appeals struck down Ohio's first partial birth abortion law in 1997. Judge Danny Boggs wrote:

The post-Casey history of abortion litigation...is reminiscent of the classic recurring football drama of Charlie Brown and Lucy in the Peanuts comic strip. Lucy repeatedly assures Charlie Brown that he can kick the football, if only this time he gets it just right. Charlie Brown keeps trying, but Lucy never fails to pull the ball away at the last moment. Here, our court's judgment is that Ohio's legislators, like poor Charlie Brown, have fallen flat on their backs. I doubt that the lawyers and litigants will ever stop this game. Perhaps the Supreme Court will do so.

Judge Boggs recognized perfectly what has been going on in the courthouses of this nation for a long time, and legislators must stop chasing the elusive ghosts set in motion by Roe v. Wade. Stated another way, Charlie Brown needs to take the ball from Lucy, put his head down, and run it right up the middle.

HB 228 achieves that by challenging Roe v. Wade head on and reasserting the clear will of the people. It is about time.