

LATHROP: Good afternoon. Today-- if you don't mind. Today, we're going to, and in a moment, I'll read sort of the rules of-- the broad general rules that we read before every time the Judiciary Committee meets for the purpose of having a hearing. Today, we're going to have hearings on three different bills. LB933 will be heard first, then we will have combined hearings, and this is at-- with the agreement of the sponsors, I'll add, LB781 and LB1086 will be heard together. And I want to give you-- we have an overflow room with folks across the Capitol who hopefully can hear what I'm saying right now, so everybody understands what the rules and sort of the process is going to be. If we had a large, large auditorium, we would have the proponents and the opponents here; and people who wanted to testify on the next bill, they would be here and everybody would all be at one room and that would be fine. But now I'm trying to manage three bills, two hearings and large gatherings of both proponents and opponents. So this is how we are going to proceed today. We will take up LB933. And in a moment, Senator Albrecht will introduce that bill. We will take proponent testimony, which is our custom. We will do proponent testimony, then opponent testimony. Senator Albrecht has asked that we have certain people come up before the general population of proponents. They are people that have been on this topic or have some expertise. It is an accommodation I, as the Chair, make to introducers of bills on substantial hearings such as this one. So Senator Albrecht has given me a list of 11 people that will come up before we sort of open it up to everybody else in the room. Same with the opposition. I've had not as long a list, but a list given to me by the opposition, of people they would like to have, make sure they have an opportunity to speak before we get to the general population of opp-- opposition. That's sort of a courtesy to the introducers and the like. Today, because of the number, how many people that are here-- this room should be filled with proponents of LB933, is that true? OK, everybody seems to be nodding their head yes, no? OK, well, then I will explain this, and you may want to go to the overflow room, which is 1307, if you're not here as a proponent. We will do two hours of proponent testimony, OK? Each person will have two minutes to testify. I'm hoping my committee will be short on questions today so that we can get as many people in and heard as we possibly can in that two-hour period. Then we will clear the room, OK? So if you are, if you are a proponent, then we'll have you, if you want to stick around and watch the rest of the hearing or testify on the next bill, you'll go down to 1307; and the opponents who are currently in 1307 will populate this room and they will have two hours, two minutes at a time, until we exhaust either the two hours or all of the opponents. OK? That's about as fair as I

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

can make it. We'll take neutral testimony. To be really, really, really clear, neutral testimony isn't: I didn't get to talk when the proponents were up there, so I'm going to drop in the chair and speak in the neutral capacity. Neutral is somebody who has a-- you're not for or against, but you have something to say about how the bill is written. That's my best explanation for that. So if you are an opponent, I would invite you to go into room 1307 here in the Capitol, it's on the first floor. These folks can tell you how to get there. And the only reason I say that is, we're going to ask everybody in the room to leave after we get done with the two hours of proponent testimony. You can watch the proceedings down in 1307, OK? We call it the overflow room. And then when the next bill comes up, we'll go through this all over again, OK? Giving two hours to the proponents, two hours to the opponents and doing that twice today will still be a long day for the committee. I think it makes it manageable. So that said, if you brought prepared testimony, something that you've written out, you might want to look at it and make sure you pare it down to two minutes. Because we'll talk about the light system in a minute. The reason you need to be at the two-minute mark, is if you're taking that more than two minutes, first of all, I'll probably interrupt you, which I don't like doing. Secondly, and more importantly, there will be people that won't have a chance to be heard. So I'm sure we have a lot of people that feel strongly about both sides of the bills that we'll hear today, but we want you to be respectful of those people who are behind you and who won't have the opportunity if you are running on past the red light. So that's the, that's the hearing, sort of the things that are going to make today a unique process. Let me go through the, the normal hearings so that you know sort of what you need to do to, to be able to testify. By the way, my name is Steve Lathrop. I represent Legislative District 12 in Omaha and I Chair the Judiciary Committee. Committee hearings are an important part of the legislative process and provide an important opportunity for legislators to receive input from Nebraskans. If you plan to testify today, you will find yellow testifier sheets over on that table. Please fill out a testifier sheet only if you're actually going to testify before the committee, and print legibly. Hand the yellow testifier sheet to the page as you come forward to testify. There's also a white sheet on the table if you do not wish to testify, but would like to record your position on a bill. This sheet will be included as an exhibit in the official hearing record. If you are not testifying in person on a bill, would like to submit a position letter for the official record, all committees have a deadline of 12 noon the last workday before the hearing. Please note there's a change this year. Position letters to be included in the official record must be

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

submitted by way of the Legislature's website at the nebraskalegislature.gov. This will be the only method for submission of letters for the record, other than to testify in person. Letters and comments submitted by way of email or hand-delivered will no longer be included as part of the hearing record, although they may be an option for you to communicate with individual senators. Keep in mind you may submit a letter for the record or you may testify in person today, but you can't do both. We will begin each bill hearing today with the introducer's opening statement, followed by proponents of the bill, then opponents and finally anyone speaking in the neutral capacity. We will finish with closing statements by the introducer, if they wish to give one. We ask that you begin your testimony today by giving us your first and last name and spell it for the record. If you have copies of your testimony, you can bring up 10 copies and give them to the page and they will be distributed to the panel. If you are submitting testimony on someone else's behalf, you may submit it for the record but will not be allowed to read it. So we don't have people coming up and going, I want you to know what my mom thinks, and then you read a letter from your mother or somebody you know. We will be using a two-minute light system today. When you begin your testimony, the light on the table will turn green. That light system is right in front of me. The yellow light, when it comes on, is your one-minute warning. And when the red light comes on, we ask that you wrap up your final thought and stop. As a matter of committee policy, we'd like to remind everyone the use of cell phones and other electronic devices is not permitted during public hearings, though you may see senators communicate with their staff using their phones. I'd ask that everyone look at their cell phones and make sure they're in the silent mode. A reminder, no verbal outbursts or applause or other type of reactions are permitted in the hearing room. Since we've gone paperless in the Judiciary Committee, you may see senators pulling up documents and following along on their laptops. And you may notice committee members coming and going. That has nothing to do with how they regard the importance of the bill under consideration, but senators may have bills to introduce in other committees or have meetings to attend to. And with that, I would like the committee to introduce themselves, beginning with Senator DeBoer.

DeBOER: Good afternoon, everyone. My name is Wendy DeBoer. I represent District 10 in northwest Omaha.

BRANDT: Good afternoon. I'm Senator Tom Brandt, Legislative District 32: Fillmore, Thayer, Jefferson Saline and southwestern Lancaster Counties.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

PANSING BROOKS: Hello, everyone. I'm Patty Pansing Brooks, representing Legislative District 28, right here in the heart of Lincoln, and I'm the Vice Chair of the committee.

SLAMA: Hi everyone. Julie Slama, District 1: Otoe, Johnson, Richardson, Pawnee Counties in southeast Nebraska.

McKINNEY: Good afternoon. Terrell McKinney, District 11, north Omaha.

GEIST: Good afternoon, my name is Suzanne Geist. I'm senator for District 25, which is the southeast corner of Lincoln and Lancaster County.

LATHROP: Assisting the committee today are Laurie Vollertsen, who is to my left, our committee clerk; and Josh Henningsen, to my right, one of the Legislature's Judiciary Committee's two legal counsel. And our pages today are Bobby Busk and Lo-- Logan Brtek. And with that, we'll begin with Senator Albrecht and the introduction of LB933. Senator, welcome to the Judiciary Committee. Good afternoon.

ALBRECHT: Thank you. Good afternoon. Good afternoon, Chairman Lathrop and members of the Judiciary Committee. For the record, my name is Joni Albrecht, J-o-n-i A-l-b-r-e-c-h-t, and I represent Legislative District 17 in northeast Nebraska, which includes Wayne, Thurston, Dakota and portions of Dickson County. I've introduced LB933 because life is a human right. I want to thank Speaker Hilgers for making this his priority bill. LB933 extends legal protection from abortion to every person at the moment of conception, taking effect if and when Roe v. Wade is overturned. The Supreme Court improperly took this issue away from the Legislature and the people of Nebraska. After 49 years, the Supreme Court appears poised, poised to finally give back as the court is currently considering overturning Roe v. Wade in the case of Dobbs v. Jackson Women's Health Organization. In Nebraska there have been almost 200,000 abortions since Roe has been decided in 1973. That's 10 percent of our state's population. Every abortion ends the life of an innocent human being, a baby that is alive, growing and have-- and has their own unique DNA, separate from their mother. An unborn child is a baby that should be cherished and protected at every stage of development. Under the Human Life Protection Act, performing an abortion after Roe is overturned will no longer be permitted in Nebraska. We will protect all human life. There is an exception for a medical emergency to preserve the life of the mother, and no woman who obtains or seeks an abortion may be prosecuted, only the abortionist. Both women and children are worthy of being loved, and they deserve better than abortion. We can support them both. The Human Life

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

Protection Act is not just pro-life, it's pro-woman, pro-baby and pro-science. Twelve states have already passed similar measures, and I believe it's time for Nebraska to be the next. I encourage you to support this bill so that Nebraska will be a state where every life is celebrated, valued and protected. There are many people here today to express their opinion, and I am very thankful for that. I'm submitting testimony for one testifier who had to turn around this morning due to a storm between here and Kansas City. But because some have come from very far distances, I have asked Senator Lathrop and I thank him for who some of the testifiers are that need to go home as soon as this is over and get on an airplane or whatever needs to be done. So thank you. I'd be happy to answer any questions that you might have.

LATHROP: OK, I don't see any questions. I think we're prepared to hear the--

ALBRECHT: We have plenty [INAUDIBLE].

LATHROP: --testimony. Thank you, Senator Albrecht. I appreciate your introduction. It is 1:45, so we will take proponent testimony, and beginning with Ryan Bomberger, who's first on the list that Senator Albrecht has provided, and we will go until we've exhausted the proponents or two hours. Good afternoon and welcome.

RYAN BOMBERGER: Good afternoon, Chairperson Lathrop and members of the Judiciary Committee. My name is Ryan Bomberger, I'm the co-founder of the Radiance Foundation, and I'm here to fully support LB933. Many say that I should have been aborted. I was conceived in rape, but adopted in love. I grew up in a diverse family of 15, we're white, black, Native-American, Vietnamese, abled and disabled. Ten of us were adopted. Despite the horrific circumstances most of us came from, none of us would have been better off dead. We were all better off loved. I'm the 1 percent used to justify 100 percent of abortions. But the circumstances of our conception never changed the condition of our worth. My birth mom's courageous decision will continue to unleash beautiful reverberations for generations. My amazing wife, Bethany, was a single mom who found herself in an unplanned pregnancy. Despite enormous pressure, she rejected the violence of abortion. I adopted that precious baby. Her name is Radiance. Our youngest son, Justice, was also adopted. I'm the father of four awesome kiddos. Our family would not exist if I had been aborted. It's why I fight for the most marginalized, the most vulnerable and the most discarded in and out of the womb. Black History Month teaches us this truth, anytime anyone denies the humanity of another human being, discrimination and death always follow. Women's History Month should teach us this lesson, you

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

can't make history unless you're born. Roe has killed 64 million under the guise of fake feminism. Led by Planned Parenthood, the abortion industry profits from fear, solves no social issue, gives no one equality, and ushers more deaths into communities already ravaged by violence. And yes, abortion is systemic racism. It's the leading killer of black lives, outnumbering the top 20 causes of death combined. I urge you to support LB933. Your vote would help make lives like mine and my children possible. Thank you.

LATHROP: Very good. Thank you for your testimony. I see no questions. Next would be Gina--

GEIST: May I ask a quick question? Just a quick question.

LATHROP: Sure.

GEIST: I know, but just a quick. Systemic racism, would you just speak to that quickly, please?

RYAN BOMBERGER: Absolutely. I find it absurd that Planned Parenthood has rebranded itself as an anti-racist organization. They're actually the leading killer of black lives, killing 360 black lives every single day. Abortion is the number one killer in the black community, and it's celebrated as reproductive justice. It's really destructive. Let me use New York City as an example. New York City, where Planned Parenthood is based, for every 1,000 black babies born alive, 1,226 are aborted. The only demographic where there are more induced deaths than births. And it's celebrated the reproductive justice. Planned Parenthood was birthed out of the racism and elitism of eugenics, a vile pseudoscience, and sadly, their DNA has never changed. So when I say abortion is systemic racism, we have people will say that racism is baked into every institution in America. Yet the one institution, the one industry that actually kills for a living, somehow there's no racism. So that's what I mean when I say abortion is systemic racism.

GEIST: Thank you.

RYAN BOMBERGER: Thank you.

LATHROP: OK. Thank you for being here today.

RYAN BOMBERGER: Absolutely.

LATHROP: The next is going to be Gina Tomes. Gina Tomes, T-o-m-e-s. So, OK, we'll go on to Amber Wade. How about Julie Mainelli? Good afternoon.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

JULIE MAINELLI: Good afternoon, Chairman Lathrop. My name is Julie Mainelli, J-u-l-i-e M-a-i-n-e-l-l-i, and I'm here representing Mater Filius of Nebraska. So we are a nonprofit Catholic apostolate located in Omaha, Nebraska, committed to helping women facing an unexpected pregnancy who find themselves without support. What we offer is a tranquil home, nutritious, self-prepared meals assistance with health care appointments, transportation, spiritual care, access to child enrichment and a path to independence. We acknowledge that families do better when they stay together. We welcome children under the age of five. We welcome minors. Our age range has been 14 to 41. Our mission is defending life with love and our goal is generational change. We have a live-in housemother, daytime hours Monday through Friday, and an overnight and weekend house mother. We want our families to feel safe, empowered, supported and nurtured. We have our families follow an established daily schedule, which allows a return to order and routine. Our staff, directors, volunteers model how to live in a home as a family. We have onsite workshops, including house therapy, encounter group, Circle of Security parenting. We have a boutique for our families to shop. In addition, we have two pediatricians that visit Mater Filius each week, an early childhood learning center, and a preschool serving our six-week-old to five-year-olds. If mom chooses a Catholic education, we cover half of that tuition for her family. We have a long-- we're a long-term program in that mom can come in at any point during her pregnancy, and she has the opportunity to stay another eight months from the day her baby is born. We establish a path with her. The first two weeks could be job or education, including GED, ESL and college. We help her with addiction, mental health. If she has children removed from her care, we work on reunification. We offer support for legal immigration, financial guidance. And as she transitions out, we help with housing, transportation fund. We've actually given away six vans or cars in the last two years to our graduates. We have an aftercare graduate program that provides ongoing support, and I'm here in support of LB933. Thank you.

LATHROP: OK. Thank you, Miss Mainelli. I do not see any questions for you today. We appreciate you being here. Hailey Ghumm. Good afternoon.

HAILEY GHUMM: Good afternoon, thank you. My name is Hailey Ghumm, H-a-i-l-e-y G-h-u-m-m, I'm a graduate recipient of services from Mater Filius Nebraska. Mater Filius loves each woman individually and uniquely to fit the needs completely. They do not fall short in providing and guiding each woman in the terrifying times of an unplanned pregnancy. I have seen Mater Filius support women into the journey of motherhood, as well as adoption. With an early learning

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

child center and a Lighthouse preschool on site, the support continues for many years after completing the program. My children are recipients of the Mater Filius tuition assistance program, which aids me in providing a Catholic education to them. Mater Filius has many partnerships with other nonprofit organizations, such as Chariots4Hope and Heart Ministry Center. The collaboration of the organizations like this sets women up for self-sufficiency into motherhood. I know the program that Mater Filius has to offer changes lives because it changed mine. I'm standing here because it did. The support is there to-- and available to any woman in need. Mater Filius stands true to their mission statement of defending life with love. Thank you, I am here in support of LB933.

LATHROP: OK. I don't see any questions. Thanks for being here. Next would be John Quinn.

JOHN QUINN: Good afternoon, Chairman Lathrop, and thank you to all the members of the committee. I just want to express my gratitude for your attentiveness. I was testifying in Maryland yesterday and not a senator was listening to anyone on either side of the issue. My name is John Quinn, J-o-h-n Q-u-i-n-n, and today I am here to testify on behalf of the DFLA Education Fund, a registered 501c3 nonprofit which exists to promote the consistent life ethic. I am a proud pro-life Democrat and even prouder Nebraskan, and a firm supporter of the Nebraska Human Life Protection Act. The Education Fund applauds that this act clearly stipulates that only the people who inflict abortions upon women and not the women themselves can be prosecuted. We appreciate the careful allowance made for physicians who, in the course of providing lifesaving care to both a mother and her preborn child, may not be able to save the child's life. We support this act because it advances women's rights. This law would offer crucial protections to preborn girls, and it would also set Nebraska on the course to offer women what they deserve: better alternatives than the violence of abortion. For too long, our nation has lived under the false narrative that women's rights and preborn rights are fundamentally opposed. It does not take much creativity to see that women and their children are not in fundamental conflict. The rights of women and preborn children can and must be pursued simultaneously in order for each to stand secure. The opportunities for supporting women are endless, and we are excited for Nebraska to chase those horizons. As one small example of those possibilities, I offer LB929 and its extension of postpartum Medicaid coverage for the women of Nebraska. The Education Fund commits to working with Nebraskans to build a holistic culture of life. We look forward to once again abolishing the death penalty in Nebraska and to continual improvement

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

in health, racial, economic and environmental justice. Thank you, and please submit a favorable report on this important legislation. Thank you.

LATHROP: OK. I don't see any questions. Thanks for being here, Mr. Quinn.

JOHN QUINN: Thank you.

LATHROP: Next, we'll hear from Eleanor Grosvenor. I probably tortured that name, I apologize. Good afternoon.

ELEANOR GROSVENOR: Good afternoon, councilman. My name is Eleanor Grosvenor, E-l-e-a-n-o-r G-r-o-s-v-e-n-o-r, I'm a student at Skutt High School and today I'll be reading my essay that won the Nebraskan's Embracing Life essay contest: Why I Am Pro-Life. What is justice? My theology teacher said, it is a quality of being fair and reasonable. So if justice is a quality of being fair and reasonable and we, and we as intelligent humans believe the things we do are justifiable and act thus, then are we justified to perform abortions? Is that displaying the quality of being fair and reasonable? There's estimated to be over 63 million innocent lives lost to abortion to date. This number equals the population of Canada, Ireland, El Salvador, Haiti and Jamaica combined. Saint Pope John Paul II stated, In this sense, abortion goes beyond the responsibility of individuals and beyond the harm done to them and takes on a distinctly social dimension. It is the most serious wound inflicted on society and its culture by the very people who are to be society's promoters and defenders. I am pro-life because I believe everyone has dignity, which by definition means worthy of honor and respect. When we fail to give the most defenseless dignity, this will eventually affect the rights we afford to everyone else. My parents raised me pro-life. My school has formed me into a pro-life young person. Without these influences, would I have seen the controversial moral issue sitting right under our noses every day? Would I have made a stand, as I do today, against the abortion industry and all those who deny this act moral and right? I guess we'll never know, and I'm thankful for that. These are the very reasons I stand for life, to show all the young people that this is our movement, that this is an issue that needs our immediate attention, that even if you are not raised in this belief or taught this at school, you can take a stand. The courageous marches in the south for civil rights reached a climax when young school kids recognized what was wrong in their community and decided to do something about it. President Kennedy responded to the children's marches with a speech that included the lines, This nation was built

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

on the principle that all men are created equal and that the rights of every man are diminished when the rights of one man are threatened. Today, we are committed to a worldwide struggle to promote and protect the rights of all those who wish to be free. Can my fellow Americans take a bold stand against the issue of abortion together, just like these children? I stand before the representatives of the people born and unborn of Nebraska to encourage you to stand in opposition to this direct violation of basic human rights happening in our country.

LATHROP: OK.

ELEANOR GROSVENOR: Thank you.

LATHROP: Thank you for being here today. We appreciate hearing from you. I don't see any questions. The next testifier will be Sandy Danek. Good afternoon.

SANDY DANEK: Thank you, Senator. My name is Sandy Danek, S-a-n-d-y D-a-n-e-k, and I'm the executive director of Nebraska Right to Life. As a statewide grassroots organization, I'm here representing thousands of Nebraska pro-life households in support of LB933. We began this debate almost 50 years ago by proclaiming support for women's rights, but we believe abortion has not supported women. On the contrary, it has brought about tremendous harm. When an unplanned pregnancy is realized, a woman is offered-- often pressured into doing what is easiest for everyone, basically getting rid of the problem. We've gone beyond the rhetoric that it's just a glob of tissue, science has told us it's a baby. Now women are asked to believe that this baby is a threat to their freedom, and the death of the child becomes a necessity. If we as a society truly care about women and the unplanned pregnancy, then we must look to life-affirming options that are before us. In this state, we have eight times more pregnancy centers than abortion facilities. Those who promote life are walking the walk. We adopt, we become foster parents and some open their homes to women in need of support. We develop support ministries like mother assistance funds for women who need emergency help, like paying the rent, utilities, food and car repair. When the abortion facility here in Lincoln opened in 1995, I was committed to being present there to offer options other than abortion. I admit I was motivated by saving the child. But as I spent more time in front of this facility, I began to see the real challenges of the mother. I still care greatly for the preborn child. But I have witnessed the pressure and the despair a woman feels as she's backed into a corner and made to believe that abortion was the only way out. Research shows that women with a history of abortion have a higher rate of anxiety by 34 percent,

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

depression by 37 percent, alcohol misuse by 110 percent, and are six times more likely to consider suicide compared to those who have not had an abortion. What will Nebraska look like if Roe v. Wade is overturned? It has been said that Nebraska is a pro-life state. Our laws and elected officials reflect this. We believe every human life has intrinsic value, and we continue to offer the necessary means to support a woman. Abortion hurts women, and we can do better.

LATHROP: OK, thanks for being here.

SANDY DANEK: Thank you.

LATHROP: Next is going to be Nate Grasz. And for those of you sitting in the front row, if you can, after you've spoken, we're going to make that sort of the on-deck circle. So just to kind of help keep the process moving along. Welcome.

NATE GRASZ: Thank you. Good afternoon, Senator Lathrop and members of the committee. My name is Nate Grasz, N-a-t-e G-r-a-s-z, I'm testifying on behalf of the Nebraska Family Alliance and thousands of Nebraskans who are working towards a future, a better future where women aren't told they need abortion to be successful and where the most vulnerable members of our society are protected and not discarded. All people have the inherent right to life, and we possess this right by the virtue of our humanity and not because it is granted to us by government or other people. Tragically, every abortion denies this right and ends the life of an innocent human being. We know this because of what science demonstrates and what we can plainly see with our own eyes. In the nearly 50 years since Roe was decided, science and technology have advanced dramatically. We can see clearly in 3D and 4D ultrasounds that an unborn child in the womb is not a blob of tissue or a disease to be cured, but a child waiting to be loved. Nebraskans know it is inconsistent and unsustainable that our laws recognize the intentional death of a child in the womb as fetal homicide when they're wanted, but when that life has ended in an abortion clinic, it's called reproductive care. No amount of euphemisms can continue to hide with science, ultrasounds and our own ability to reason has taught us. Behind every choice is a child. Every product of conception is really a human being in their most vulnerable stage. That's why Nebraskans are moving away from the lies of the abortion industry and towards embracing life and empowering women. Nebraska Revised Statute 28-325 declares that the will of the people of Nebraska is to provide protection for the life of the unborn child whenever possible. We urge this committee to advance LB933 and turn that declaration into a reality. Thank you.

LATHROP: OK, thanks for being here.

NATE GRASZ: Thank you.

LATHROP: So if you've testified, if you can just kind of move around the corner because I'm going to invite people who are wanting to testify. You can come move up to the front row, so we can kind of have a, an orderly process. I've done this before. Pretty soon, six people will stand up and then it will take a little time figuring out who's going to testify next so. Next will be Marion Miner. Thank you. Good afternoon, welcome.

MARION MINER: Good afternoon, Chairman Lathrop and members of the Judiciary Committee. My name is Marion Miner, M-a-r-i-o-n M-i-n-e-r, and I'm here on behalf of the Nebraska Catholic Conference as a proponent of LB933. From the first moment of his or her existence, a human being must be recognized as having the rights of a person, among which is the inviolable right of every innocent being to life. Upon this right, all other rights depend. Every instance of legally tolerated abortion violates an innocent person's right to life and undermines the very foundations of a state based on the rule of law. As the late Father Richard John Neuhaus said in 2008, quote, The contention between the culture of life and the culture of death is not a battle of our own choosing. We are not the ones who imposed upon the nation the lethal logic that human beings have no rights we are bound to respect if they are too small, too weak, too dependent or too burdensome. We ask you today to contend for the culture of life. And I have in my testimony here something of a legal analysis, because I know that there has been some concern about whether LB933 is an unauthorized delegation of legislative power. It is not. I won't have time to get into that full legal analysis, but I wanted to make sure that you see it and have an opportunity to read it. The fact is in short that LB933 delegates no powers. It's simply designated that, that the bill is not to become operative until the happening of a certain contingency. That type of legislation is very common in the United States broadly for all kinds of subject matter areas, not just abortion. And in Nebraska, we have 150 years of Nebraska Supreme Court decisions upholding as constitutional exactly that type of legislation. So I invite you to read through that analysis, and I'm happy to answer any questions about that that you may have. I know that we want to make sure that we get through this hearing, though, so thank you very much for your time and please support LB933.

LATHROP: I don't see questions. I do appreciate that you've included that in your testimony. We will most certainly look at it.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

MARION MINER: Thank you very much.

LATHROP: Thanks, Mr. Miner. Next proponent. Pardon me, we'll do Jaylem Durousseau. I, I'm confident that I've tortured that, but welcome nevertheless.

JAYLEM DUROUSSEAU: Thank you, Mr. Chairman. No worries, I also tended to torture it when I was younger.

LATHROP: OK.

JAYLEM DUROUSSEAU: My name is Jaylem Durousseau, D-u-r-o-u-s-s-e-a-u, and I represent Students for Life Action, the parent organization for Students for Life of America, which has more than 1,300 groups on middle, high school, college and university medical and law school campuses, including 26 here in the state of Nebraska. I'm here to support LB933, the Nebraska Human Life Protection Act, because this would ensure that our state can protect women and children in the event that states once again are allowed to set their own policies regarding abortion. In the year I was born, children just like me, children of color, children with teenage mothers and children in families below the poverty line were aborted in overwhelming numbers. My then 18-year-old mother was targeted by Planned Parenthood and other abortion-funded organizations and was told that she should pursue an abortion. She was told it was her rights, that my rights were less than hers, and that I would mean little more to her than a burden. As I will be testifying on LB781, 64 percent of women also feel pressured or forced into an abortion, a decision that would harm a woman and her child in order to enforce the abortion lobby's bottom line. I'm here because my story almost never came to fruition, like the stories of thousands American-- of Americans and Nebraskans whose stories were ended by an abortionist. I'm also here because I've seen firsthand the pain abortion causes women. My aunt, who courageously served our nation in two tours in Iraq, suffers from PTSD. But it wasn't the dangers of Iraq, and it wasn't the time the shower trailer that she had just left was shelled by enemy forces, it was the abortion she was pressured into early in her military career by her leadership that continues to cause her grief and trauma. Sadly, my aunt is among millions of women that have undergone the same trauma and grief. It is always in a state's best interest to ensure her citizens are protected. This bill allows this state to take the first step towards properly protecting the lives of Nebraskans, and that our state's laws will always place the well-being of her people before the predatory corporate nature of abortion-- the abortion lobby. Additionally, in a study by the Demetree Institute for Pro-Life

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

Advancement, 8 in 10 Millennials and Gen Z want their states to set their own abortion policy. And with that, I humbly ask you to support LB933.

LATHROP: OK, I don't see any questions. Thanks for being here, though.

JAYLEM DUROUSSEAU: Thank you, Mr. Chairman.

LATHROP: We will take the next proponent. Now we're going to open it up. I'm done with the list. So if you're-- we're going to make the front row-- yeah, you may come up. We're going to make this front row sort of the on-deck circle. So if you would like to get in the line to testify, then you can kind of quietly come up to the front row and we'll take you in turn. Good afternoon.

GINA TOMES: Good afternoon, Chairman Lathrop. Thank you for opening this up, and I appreciate it. My name is Gina Tomes, G-i-n-a T-o-m-e-s, I am the director and co-founder of a pro-life maternity home in Omaha, Nebraska, that's been open and in existence for the last 18 years. For the past 20 years, I have had the privilege and honor of walking alongside women who courageously have chosen life. I promise that I'm not going to be lengthy, but I can say from the bottom of my heart that we live in the best state in the nation and in the greatest country in the world, because what our women have shown me as a witness and with my own eyes is that they do not want to be forced into having to choose an abortion. What our families need is a family. They need you and they need me. Bethlehem House has created a pro-life maternity home that serves 12 women at one time, that offers 14 different curriculums, that offers addiction treatment and a number of other mental health services where women stay for on average a year. That is just the beginning of their new life when they walk into Bethlehem House. These women are my heroes. When I wake up in the morning, I can't get to Bethlehem House fast enough. One of the most questions that I get asked is, don't you get burned out? How do you do this? And we do this because our women are so courageously wanting to choose life and are-- have been lied to by our culture that they need to do this because of their income levels or because of their education levels. Well, as we come together as a community, they are knocking these barriers out of the park. Eighty-six percent of the women that graduate from Bethlehem House end homelessness forever. They find jobs that they love, they're able to wean themselves off government assistance within nine weeks, participate in our aftercare program, which lasts a lifetime. There's over 738 families active in the Bethlehem House aftercare program on any given day. We're growing. We're thriving. We have just partnered with the University of Notre

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

Dame to do a causal evidence research study for the next three years to be able to show our nation what is possible when women courageously choose life. Thank you so much.

LATHROP: Thank you. Thanks for what you do. Next testifier. Good afternoon.

LEE TODD: Good afternoon, Chairman. Thank you for hearing my testimony today, I kind of want to move on the theme of be kind. I like that, Senator Pansing Brooks. I think we should be kind to life.

LATHROP: Let's have your name first.

LEE TODD: My name is Lee Todd, T-o-d-d. I live here in Lincoln, Nebraska.

LATHROP: OK.

LEE TODD: And so along that theme, to be kind to life, I'm a proponent of LB933. As a pre-med student, chemistry, biology and math major, I learned that life emphatically does begin at conception. There was never any dispute of that in all the biological books that I studied. A heartbeat certainly signifies to those who will not see and to those who will not reason, and certainly to those who will not listen, that life is here. Do not kill me. It is palpable, and it is now. For too long, we've been killing babies inside the womb under the guise that somehow they are not alive, that they are not human, that they are not worthy of our consideration. It is mind-boggling how our so-called civilized society could commit such barbaric atrocities. And yet we do so for decades. We, as citizens wonder why we have so many school shootings. We wring our hands and supposedly wonder, without really wondering, how is this possible? Well, could it be that we have cheapened and demeaned life to the point where some lives are insignificant? Therefore, all lives are insignificant? How many school shootings did we have before 1973, Roe v. Wade was passed by SCOTUS? When life is cheapened for the most vulnerable, it is cheapened for all of us. So I believe it is time to boldly state the truth, and that truth is we have cheapened human life to the point it is now a mere convenience. It should be time to restore faith and confidence and affirm the sanctity of life. It is time to do what is right, even though it has taken almost 15 years to do so. Please vote LB933 out of committee. I approve very much the opportunity. I want to thank you again for your time today and the ability to speak so.

LATHROP: OK.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

LEE TODD: Appreciate it, thank you.

LATHROP: Yeah, thanks for being here. Next proponent.

LAUREN VORCYK: Hello.

LATHROP: Good afternoon.

LAUREN VORCYK: My name is Lauren Vorcyk, that's spelled L-a-u-r-e-n V-o-r-c-y-k, I'm here to testify as a proponent of LB933, as well as LB781 and LB1086. I know many will be testifying later regarding the fact that the right to choose when you become a parent would be bound by these bills. So that's what I'll focus on. The fact of the matter is that the choice to be a parent still remains up to them, regardless of whether abortion is illegal. Engaging in sex is a choice. The innate result of sex is pregnancy. This is a scientifically proven to be the result of engaging in sex. There's no denying it. If the intention is to not get pregnant, then the choice to have sex is up to you. On the other hand, even knowing that sex results in pregnancy, many individuals can continue to do so. If sex is something a couple decides to engage in, your natural fertility is a very effective option compared to abortion and the abortion pills. I bring up contraception every once in a while in regard-- in this regard, because much of the time the flaws of contraception lead to an abortion. Senators, natural fertility is the most safe and effective option for women who do not wish to have a child. In very simple words, this involves a woman either taking her temperature each day, charting her mucus throughout her cycle, or testing for progesterone levels to signal ovulation. It's not a religious practice. It's knowing scientifically how a female body works and putting it to good use. This takes less time than picking up pills and taking them daily to avoid pregnancy or undergoing an abortion and the aftermath of it. It can cost nothing compared to the cost of an abortion. Pregnancy resource centers in Omaha have the ability to offer this information for free to women who are interested. These include, but are not limited to, Essential Pregnancy Services, Assure Women's Center, Bethlehem House, Birthright International and Mater Filius in Nebraska, to just name a few. No method of birth control or natural fertility is 100 percent effective. According to the CDC, oral contraceptives are 93 percent effective. On the other hand, the stud-- a study on the Marquette method of natural family planning shows that it's 99 percent effective in avoiding pregnancy. If we choose to focus on the benefits of these for the woman, natural fertility blows abortion and birth control out of the water. And without the perceived threat of pregnancy, should more women be educated on their natural

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

fertility, there would be much less need for abortions in abortion pills in the first place. Thank you.

LATHROP: OK. Thanks for being here. Thanks for your testimony.

LAUREN VORCYK: Thank you.

LATHROP: Next proponent. Good afternoon.

STEPHEN POSTIER: Thank you, Chairman Lathrop and the Committee for listening to testimony today. My name is Steven Postier, S-t-e-p-h-e-n P-o-s-t-i-e-r. See, the bills before you today draw a lot of passion from a lot of people. There's strong emotion behind these testimonies, both for and against, as the topic of abortion is fundamentally at the heart of who we are as a people and how we view the value of life. Before my wife and I were blessed with three beautiful kids, and one on the way, we went through three miscarriages. Personally, these were some of the hardest experiences I've ever gone through. Losing a child is horrible no matter what point in the development they're at. It was only made worse when we heard people defending abortion trying to say that we shouldn't mourn our children as they're only a clump of cells, or worse, they were a parasite. It honestly broke my heart. In my opinion, protecting the lives of those who cannot defend themselves is one of the greatest callings we can have. Without the value of life, every other issue falls apart. I'm sure I'm not the only one, pro-life individual who is willing to say and to ask, what would it take? What would it take for those that don't support these bills to help stop abortion? Do we need to pay for health care for every woman in the state? How about free contraceptives for everyone? Do you want us to raise taxes, pay everyone a universal income for life? I'm not necessarily in favor of these ideas, as many of them have their own problems, but I am willing to bet a large majority of those here today would be willing to offer these solutions up if it meant stopping abortion, myself included. If it meant saving a life, I would gladly pay higher taxes. I would gladly give every parent in the state a check to help take care of kids once they're born. I would gladly fund every child's health care cost if it meant they get to live. At the end of the day, money is just money. The value of life is more important than anything a dollar in my bank account can provide. I would gladly give up that dollar if they're willing to compromise and end abortion. Thank you for your time.

LATHROP: OK, thanks for being here today. The front row is getting empty, so if you want to testify, come on and have a seat up front. Good afternoon.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

EMILY POLLEN: Hi, my name is Emily Pollen, E-m-i-l-y P-o-l-l-e-n. I was not planning to speak today, but I couldn't remain silent, especially when people started commenting on having a young person here in the room. I am a teacher, I'm a foster mom, I'm a wife. I've cared for orphaned and abandoned children in five different countries. As a teacher and a mom, we tell our children in this American nation that you can be anything you dream of. You can be president, you can be an Olympic athlete. That the children that are in our classrooms with special needs have things to contribute, that you can overcome a disability. We have expansive suicide prevention programs and Lives Matter movements, how can we tell our young people that they matter and that their future is bright but yet we tell them, if you are unplanned, if your mom is poor, if your parents are young, if you have special needs or an illness, you're better off dead? As a foster mom who has talked teens through these decisions, getting rid of a life does not take away the pain, the trauma or the memories. Working with kids from different places, not one has ever wished they've come from abuse and abandoned homes, sexual abuse, not one of them has ever wish that their mom aborted them. As a foster mom, I am aware that there are many resources out there for people who want them. And it's ludicrous to kill humans in the name of poverty or lack of resources when we have programs like WIC, free schools, free and reduced lunches, health care and so many people who would love to adopt or foster children. Thank you.

LATHROP: OK, thank you. Any other proponent testimony? I thought we had more hands than that. Anybody-- by a show of hands, anybody else intend to testify as a proponent? OK, if you would like, come on-- if, you may come up to the front row and then we'll take you next. Good afternoon.

MARIA WHITMORE: Good afternoon. My name is Maria Whitmore, w-- Marai-- M-a-r-i-a W-h-i-t-m-o-r-e, and I'm here with Nebraska Right to Life and also with Sidewalk Advocates for Life. Every Tuesday, I volunteer as a sidewalk advocate to-- because I see the need of women out in the, in the, in the society in general, and laws that tell women that their children are not wanted by society are completely-- and fetuses too, their worth and to feminism. True feminism is recognizing women for their beauty, for their capacity to reproduce and for also the way they rear their children. The economics and the, the needs that women tend to have are subsidized by many organizations that already exist in Nebraska and that we, whatever need there is still, we can all together help to subsidize. Many of these women are targeted, especially-- I'm Hispanic, and so I see so many women targeted because they are Hispanic, especially the immigrant society that are told and

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

this countercultural way for them that, in this society, their children are not welcome. Their children are not to be had in this, in this society. And it's, it's counterintuitive to the nature of women. So I will real-- I would really encourage for, for you to vote for this, for this law and bring it forth. Thank you very much.

LATHROP: No. Thanks for being here. We appreciate hearing from you. Next proponent.

RICK POLLEN: Hi.

LATHROP: Pardon me.

RICK POLLEN: Hi, my name is Rick Pollen, and last name spelled P-o-l-l-e-n, and I'm speaking for myself. I want to share that I am a proponent of LB933. I believe that every human life is important whether, whether outside of the womb or inside of the womb, that every life is important. And there are so many resources. My wife and I have done foster care for children and there's adoption out there. There are so many resources for moms and dads. And as you've seen, many people here have spoken in support of, of life, that life is important. And one of the ways that we can help support the poor and people that are in need of help is by having children from all walks of life be raised, regardless of what the circumstance is. And, and there are so many people here in the state of Nebraska that are pro-life, that they believe that lives are-- every single life is important. And I want to speak in support of LB933. Thank you so much for your time. I appreciate it.

LATHROP: Absolutely. Thanks for being here. We appreciate hearing from you. OK. Good afternoon.

ROBERTA KLEVER: Good afternoon.

LATHROP: Welcome.

ROBERTA KLEVER: I had not intended to testify, but my name is Roberta Klever, R-o-b-e-r-t-a K-l-e-v-e-r, and I want to speak in support of LB933. People are always saying, follow the science. I don't know why we don't follow the science when it comes to this. Science has come a long way, and we can see from 3D ultrasounds and just ultrasounds themselves that is a human life. It's definitely human, and it's alive. It's moving, it's sucking its thumb. It's sometimes waving at you in the womb. It's just incomprehensible for me to believe that a civilized society, as we call ourselves, thinks it's OK to snuff out that life for convenience or whatever the excuse may be. There are, as

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

many people have said, there are people waiting for a baby, for a child. They want a child in their house and they don't have one. There are, there are so many resources. I volunteered for many years at the-- what was then called the Crisis Pregnancy Center, that is now just the Pregnancy Center. And women do not just get over an abortion. Many of them come in there after they've had an abortion, and they get support there, too. But that never goes away. That's something that really hurts their soul for the rest of their life, that they actually snuffed out their own child. So please pass this out of this committee and let us be a real pro-life state.

LATHROP: OK.

ROBERTA KLEVER: Thank you.

LATHROP: Thanks for your testimony. Anyone else here to testify as a proponent? OK, we're going to switch over to opponent testimony. Before we do that, because we're going to have to clear the room. We have another, a whole other room full of opponents that are going to come trade chairs with you. You may watch the hearing in Room 1307, which is what we call our overflow room. How many of you will be back on the next bill? OK, not quite as many. All right, very, very good. If you wouldn't mind, and I apologize for this kind of odd process, but to accommodate the people that want to be here as opponents, we'll have you folks go down, if you care to, to room 1307. And those folks that are in 1307 are welcome to come down here.

PANSING BROOKS: Do they take a left or right out of here?

LATHROP: They're going to have [INAUDIBLE].

[BREAK]

LATHROP: Good afternoon. Good afternoon. I trust that most of you were in the overflow room and heard my remarks earlier. For the sake of just making sure everybody kind of knows the ground rules going into the opposition testimony, the way we've structured the hearing today, we would take up to two hours of proponent testimony. We will take up to two hours of opponent testimony. Each person that comes forward will have two minutes. There has not been many questions. There might have been one question during proponent testimony. We will, we will start a-- literally start a clock for two hours' worth of opponent testimony. We would-- this committee has prided itself over the last four years on hearing what everybody has to say. Unfortunately, we can't do two bills with this many people coming in and get out of here

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

before, I don't know, we might be here till nine o'clock. Apparently, Senator Slama is going to miss out on a dinner. So what we'll do is start the clock and we will have people come up for two minutes. We're going to have a light system. There's a light there. It will be green for a minute, yellow for a minute and tells you you're about halfway through. When the red light comes on, please stop. OK? And if there's questions, and there haven't been many or any today, so that way we give more and the most number of people an opportunity to be heard. Also, one last thought. And that is, I have a list of people that we're going to invite up, it's not many, about seven people, before we open it up, just sort of to everyone in the room. We will reserve as much as we can in the front row for people that want to testify. We'll have you kind of come up and fill in the front row. That way, we know who's testifying next and we don't get into a situation where four people are kind of trying to figure out who's going to actually come up here and testify. Make sense? Perfect. Thank you for your cooperation, we look forward to hearing what you have to say. Our first testifier is going to be Nyomi Thompson. Good afternoon and welcome.

NYOMI THOMPSON: Good afternoon. All right. Good afternoon, Chairman Lathrop and members of the Judiciary Committee. My name is Nyomi Thompson, that's N-y-o-m-i T-h-o-m-p-s-o-n, and I'm representing I Be Black Girl. I Be Black Girl is a collective that creates space for black women, femmes and girls to access and reach our full potential through reproductive freedom. I'm testifying in, in opposition to LB933 because each of us deserve the decision of what health care choices are best for ourselves, which includes abortion and family planning. Our approach to our work is advocating for the human right to maintain personal bodily autonomy, have children, not have children, and parent the children we have in a safe and sustainable community. That right can only be achieved when all women and folks with reproductive systems have the complete economic, social and political power and resources to make healthy decisions about our bodies in all areas of our lives. Abortions are an essential part of health care. This bill would enact the nation's most restrictive abortion law and take away Nebraskans' rights. However we feel about abortion, Nebraskans should be able to make their own decisions about what is best for them. This is not the place of the government. In particular, these restrictions have a disproportionate impact on black women that-- and femmes, compounding the racial disparities in health care access. For the 24,000 black women of reproductive age in Nebraska, this law will remove their bodily autonomy. Black women and folks with a reproductive system have been afflicted for centuries by

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

discrimination, lack of access to reproductive health services and information due to the systems being designed to fail us. A patient's health should drive important medical decisions, not a politician's beliefs. There is an untrue narrative that genocide in the black community is rooted in access to abortions. This is simply not true. Genocide in the black community is due to institutional racism, including, but not limited to, Jim Crow, redlining, mass incarceration and inadequate health care like limiting and criminalizing abortions. We oppose LB933 and ask you to not further restrict our health care access. Thank you for your time.

LATHROP: Perfect. Your timing was exactly what we're looking for.

NYOMI THOMPSON: I'm impressed.

LATHROP: I say that because I'm the guy that has to enforce that light rule. I don't see any questions. Thanks for being here, and we appreciate your testimony.

NYOMI THOMPSON: Thank you so much.

LATHROP: Next will be Jo-- Dr. Jody Hedrick.

_____: She is literally running from seeing a patient, and is parking and coming up right now.

LATHROP: All right, we'll, we'll move her to the--

_____: To the next one.

LATHROP: --to the next one. How about Dr. Deborah Turner?

_____: She also is [INAUDIBLE].

LATHROP: All right. Let's try Vic--

_____: [INAUDIBLE] a little fast for us.

LATHROP: OK? How about Victoria Plum? All right. I had this problem with the proponents, too. We went through a few that weren't here. Reverend Deb McKnight. Good afternoon.

DEBORAH MCKNIGHT: Good afternoon.

LATHROP: Welcome.

DEBORAH McKNIGHT: My name is Deborah McKnight, I'm the founding pastor at Urban Abbey. We're a United Methodist faith community in Omaha. I grew up in Plattsmouth, Nebraska and have served in Omaha as a Methodist clergy woman since 2007. As a United Methodist pastor, I believe one can be faithful and support reproductive rights rather than casting shame and judgment. The church I belong to offers care and support of individuals and families as they face challenging decisions with their health care providers. In fact, the Christian right's effort to fuel the flames against reproductive rights, particularly abortion, is rooted in a moment led by the Heritage Foundation's political desires following their effort to rally around the racist policies of Bob Jones University. This is at the same time in Christian history, when conservative theologians begin to shift their narratives from breath as the start of life to a heartbeat as the start of life. If you would like to read more, Dartmouth Professor Ronald [SIC-- Randall] Balmer's book, *Thy Kingdom Come*, invites you to explore the whole narrative. As a pastor, I share this not because it's particularly important to me, but because there are people in this room who have been hurt or coerced by this theology. I want to be clear that they are not the only voice in the Christian tradition and are based more in mid-century nostalgia than in biblical scholarship. If there were genuine care to reduce or eliminate the need for abortion, there are ways to do this, like sex education that is research-based, access to contraceptives, access to health care, improved support for early childhood education, improved early child care and an investment in living wages. These supports are not on the table. These are efforts that are purely about the control of other people's bodies. These laws banning abortion will prov-- will burden disproportionate-- disproportionately people in poverty and create trauma for those who need health care. Placing obstacles between an individual or a family and their health care decision is antithetical to the Christian tradition that follows a healer.

LATHROP: Thank you for your testimony. I don't see any questions for you. Thank you, Reverend. Next would be Scout Richters. Good afternoon.

SCOUT RICHTERS: Good afternoon, my name is Scout Richters, S-c-o-u-t R-i-c-h-t-e-r-s, here on behalf of the ACLU of Nebraska in opposition to LB933. LB933 seemingly intends to ban abortion entirely in Nebraska if the Supreme Court overturns *Roe v. Wade* in whole or in part. Apart from numerous procedural and legal concerns with this legislation, most importantly, we must be clear that LB933 takes away the ability of Nebraskans to make decisions about what is best for themselves and their families and impermissibly binds future legislators with a host

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

of uncertainties. As a mom, I can tell you firsthand that the decision about whether and when to become a parent is one of the most important life decisions we make, and the government is in the worst position to make that decision for me and my family and all Nebraska families. LB933 takes away these, these decisions away from Nebraskans entirely and will bring with it far-reaching, long-lasting negative implications on the health, well-being and futures of Nebraska families. When someone has made the decision to have an abortion, they should be able to get one without being forced to delay care, get on a plane to another state or carry a pregnancy against their will as we've seen become a reality in Texas. This bill has nothing to do with supporting Nebraskans and everything to do with denying them essential care, dignity and the ability to determine their own futures. A patient's health should drive important medical decisions, not a politician's beliefs. These issues are between Nebraskans, their families and their doctors. I can't make that decision for someone else, and neither should legislators. I implore you to respect Nebraskans' rights and listen to the majority of Nebraskans who oppose outlawing abortion. We truly cannot overstate how dangerous LB933 truly is. It runs counter to gender equity, racial justice and economic justice. We urge the committee to indefinitely postpone this proposal. Thank you.

LATHROP: OK. Thank you, Miss Richters. I don't see any questions today.

SCOUT RICHTERS: Thank you.

LATHROP: Next would be Sarah Forrest. Good afternoon.

SARAH FORREST: Good afternoon, Senator Lathrop and members of the Judiciary Committee. My name is Sarah Forrest, S-a-r-a-h F-o-r-r-e-s-t, I'm the director of operations at the Nebraska Alliance of Child Advocacy Centers. We're the nationally accredited membership organization for the seven child advocacy centers or CACs in our state, with the mission to enhance the response to child abuse. The Nebraska Alliance is committed to purposely centering survivors of child abuse and violence in their families in our work, and it is with an emphasis on the impact on survivors and their families that I am here today testifying in opposition to LB933, which will effectively ban abortion in the state of Nebraska when the U.S. Supreme Court overturns Roe. CACs provide trauma-informed services to children and families as we assist with investigations of child abuse. In 2020, CACs served over 7,000 children, over 42 percent of the reports we responded to involve sexual abuse, sexual assaults or sex trafficking.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

In our work, we routinely encounter children and teens who are pregnant due to assaults. A few examples. An 11-year-old sexually assaulted by her older brother, also a minor; a 12-year-old with medical complications raped by a much older community member; a 13-year-old repeatedly assaulted by a foster parent; a 15-year-old suspected to be a victim of sex trafficking. Not every child and family decide that abortion is the right step for them after a sexual assault, assault results in pregnancy. For some, though, it is a step towards healing. Research has clearly demonstrated that pregnancy and childbirth have specific risks for survivors of childhood sexual assault. Studies have found survivors to be at higher risk for post-traumatic stress and serious mental health symptomology, substance misuse, health complaints, delivery difficulties during an active pregnancy. Historically, the Nebraska Alliance has not testified on abortion-related bills in our state, but the sea change in policy and the bill before you, we're just so concerned about the impact for some of the survivors we serve, that we did not feel that we could remain on the sidelines without making sure that you are conscious of their experiences and the impact this bill would have on them. We would urge you not to advance LB933, and I'm open to any questions you might have.

LATHROP: OK. I don't see any questions. Thanks for being here. Christian-- Christon MacTaggart. Good afternoon and welcome.

CHRISTON MacTAGGART: Good afternoon, my name is Christon MacTaggart, C-h-r-i-s-t-o-n, last name M-a-c-T-a-g-g-a-r-t, I am the executive director of the Nebraska Coalition to End Sexual and Domestic Violence. The Nebraska Coalition supports the philosophy that abuse is a choice and that it abolishes an individual's human right to dignity, equality, autonomy and physical and mental well-being. And it's under that philosophy that we, that guides our work, that we oppose B933, which put survivors of domestic and sexual violence at risk. Due to high rates of birth control sabotage, pregnancy pressure and coercion, when intimate partner violence is present in a relationship, the chance of an unintended pregnancy doubles and between 6 and 22 percent of women terminate pregnancies because they're in a relationship where they're being abused. Abusive individuals limit reproductive rights of their victims, which is called reproductive coercion. This is when survivors are forced to become pregnant, continue their pregnancy or end a pregnancy against their will through use of manipulation, intimidation, threats and violence. I could give you hundreds of examples of what this looks like in the stories we hear every day. A 12-year-old impregnated by her father but not allowed to access abortion because her parents identify as pro-life; a trafficking

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

survivor whose trafficker refused her access to condoms or birth control because there was a market for buying pregnant women; a young mother with four children and pregnant with a fifth because her husband doesn't allow her the funds or means to control her reproductive health, he knows the more kids she has, the less likely she'll be able to leave him. If a pregnant person is experiencing abuse, not being able to access a full range of reproductive health care will put their safety in jeopardy, and offenders will use it to keep victims under their control. The Nebraska Coalition has not historically testified on abortion-related bills, however, our job as advocates is supporting victims and regaining control over their bodies and their lives. If after exploring options, a victim of sexual violence decides they can't go through with a pregnancy because of that, we should not add barriers to the process. We support every survivor in their right to have control over their own bodies. And we-- with that, we oppose LB933 and ask the committee to not cause harm to women and to not empower those who are using reproductive coercion to cause harm to women. Thank you.

LATHROP: OK. Thank you for being here today. Alisha Shelton. Good afternoon and welcome.

ALISHA SHELTON: Good afternoon. Hi. Hello to everyone on the committee and everyone that's here. My name is Alisha Shelton, A-l-i-s-h-a S-h-e-l-t-o-n, I reside in Omaha, Nebraska, and I'm an opponent to LB933. Three years ago, my husband, Vince, and I did IVF to try to grow our family. After countless shots and our second embryo transfer, it resulted in a positive pregnancy, pregnancy with a baby girl. After six weeks, in one of our appointments, we decide-- we discovered that we were starting to miscarry. My body was still producing the pregnancy hormone HCG, so it was very dangerous. It was an all-hands-on-deck moment. The medical term for miscarriage is spontaneous abortion. As this was happening, it was difficult for me to even make clear decisions. Thankfully, I had great insurance and the staff at Women's Hospital are really great providers. I was given tons of information to make the best decision for my body with the least invasive one. We took the shot. Some refer to it as a medical abortion. I am here today because that shot saved my life. I didn't have to have surgery or emergency surgery or anesthesia. I was able to work without limitations. No one could look at me and tell what happened. As a licensed independent mental health therapist, I've worked in various communities and counties across Nebraska. I want to share some factors that should be considered prior to limiting abortion access. I've worked with people who have been sexually abused by their partner, parent and older sibling. Eight years ago, when I

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

was doing play therapy, I spoke to staff at Douglas County Youth Center and asked what the number one crime is that bring youth to them. They told me it was sexual assault, usually an older brother with their little sister. I was shocked. I've also worked on the Winnebago Reservation, where youth have been lured off the reservation and sexually assaulted. This happens in every neighborhood. The legal age for sex and consent is 16 in Nebraska. It would be great if we could move that to age 18. That way, it would be easier for parents to press charges when someone, an adult primarily, grooms their children, and to ensure that more people have access to safety and protections when they want to prevent an unwanted pregnancy. Thank you.

LATHROP: Thank you. Thanks for being here today.

ALISHA SHELTON: Absolutely.

LATHROP: Next-- you know what, we'll go back to the list. Dr. Jody Hedrick, did you make it? There we go.

JODANNE HEDRICK: Good afternoon.

LATHROP: Good afternoon and welcome.

JODANNE HEDRICK: Thank you. My name is Dr. Jodanne, J-o-d-a-n-n-e, Hedrick, H-e-d-r-i-c-k. Good afternoon, ladies and gentlemen. I'm an OB-GYN who has practiced in the great state of Nebraska for the last 20-plus years. I am here representing myself and what I believe is right for all Nebraskans, including my medical colleagues. I have spent the last 25 years of my life dedicating every moment to the care of women. I am here today to oppose LB1086, LB781 and LB933. The safety and care of Nebraskans is important to me and to other physicians of our state. I've spent numerous hours on the Board of Medicine and Surgery for the last four years, and I'm in my fifth term and chairperson of the committee for the state of Nebraska to ensure the health and safety of its citizens. I do this without any monetary compensation. I do this to protect all against harm. These bills would place Nebraskans at risk for limiting access to care and causing physicians and other medical professionals to practice defensive medicine out of fear for prosecution for providing, providing such care. The proposed bills will make the management and treatment of ectopic and cornual pregnancies difficult. An ectopic pregnancy is any pregnancy found outside the uterus, the incidence is 1 in 50 pregnancies. A cornual pregnancy is found at the site where the fallopian tube enters the uterus, this is found in 1 in 2,500 pregnancies. The mortality rate for these ectopic pregnancies accounts

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

for three to four of-- three to four percent of maternal deaths in the United States. Once the heartbeat is present under these circumstances, the way the current bills read, this will make it onerous for myself and other doctors to treat the patient without fear of criminal litigation. The vagueness of the language in the proposed bills is problematic for the care of women. Termination is defined as bringing or causing something to come to an end. I could say that delivering a healthy baby, by definition, is termination of a normal pregnancy at term. I use various methods and medications to cause labor to ensue. The way the proposed bills could be interpreted could mean that if I induce labor with misoprostol and the baby dies as a result, not only could I be subject to civil litigation, but criminal as well.

LATHROP: Doctor--

JODANNE HEDRICK: Yes?

LATHROP: --we have a light system.

JODANNE HEDRICK: Oh.

LATHROP: I appreciate your, your background, but we have to enforce that so everybody has a chance to speak.

JODANNE HEDRICK: OK.

LATHROP: I don't see any questions from the panel, so thank you for being here.

JODANNE HEDRICK: Thank you.

LATHROP: Sorry I have to cut you off.

JODANNE HEDRICK: It's totally fine. I understand.

LATHROP: OK.

JODANNE HEDRICK: Thank you very much.

LATHROP: Thank you. Dr. Deborah Turner. Welcome. I appreciate the two of you came in a little bit late because the proponents, we went through them a little fast. If you didn't hear me say, we do have a light system, it's going to be two minutes. So one minute on the green, one minute on the yellow and the red will come on.

DEBORAH TURNER: OK.

LATHROP: Not much time--

DEBORAH TURNER: OK, thank you.

LATHROP: --but it allows us to get everybody heard.

DEBORAH TURNER: Thank you, Senator Lathrop and the members of the Judiciary Committee. My name is Deborah, D-e-b-o-r-a-h, Turner, T-u-r-n-e-r, I am the associate medical director for Planned Parenthood North Central States. And I am here to state my opposition to LB933. I specialized in obstetrics and gynecology medicine for almost 40 years, serving as a practitioner and medical director of gynecologic oncology at hospitals throughout the Midwest, and providing health care at Planned Parenthood North Central States since 2016. While every patient I have seen throughout my long career is unique, they need from me not only compassion, but information and medical expertise. This gives them the ability to make treatment decisions that are best for them and their families. LB933 would prevent me from offering this compassion and expertise to my patients. Specifically, LB933 does three harmful things that interfere with my ability to practice medicine. First, as 25 medical associations, including the American College of Obstetricians and Gynecology and the AMA have explained in an ami-- amicus brief to the United States Supreme Court, the LB933 bans are fundamentally at odds with the provision of safe and essential health care, with scientific evidence and with medical ethics. Abortion is an incredibly safe procedure and is a critical part of comprehensive reproductive health care, as multiple studies have shown. Second, LB233-- excuse me, LB933 violates the patient-physician relationship. Both the AMA and ACOG codes of professional ethics require that providers act on behalf of a patient's welfare above self-interest, use sound medical judgment and represent themselves and their expertise honestly. And finally, LB933 interferes with patient autonomy. Implementing this ban would force patients to choose between a costly and time-consuming out-of-state abortion or unwillingly carry a pregnancy to term. It effectively strips pregnant people of their freedom to control their own lives and futures. LB933 is a harmful bill that undermines science, violates medical ethics and denies patients freedom to choose their own-- and control their own lives. This ban would threaten the health and safety of Nebraskans, as evidenced by public health research on these similar restrictions across the country. Thank you.

LATHROP: Thank you, Dr. Turner. We appreciate hearing from you. Next is going to be Victoria Plum. After this testifier, we will be on to sort of everybody in the room. And so those of you that want to

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

testify, you can move to the front row and we'll kind of work at that way. Good afternoon and welcome.

VICTORIA PLUM: Thank you. Good afternoon, everyone. My name is Victoria Plum, spelled V-i-c-t-o-r-i-a P-l-u-m, I'm from Omaha. I'm here, obviously, to speak in opposition to LB933, I'm asking that all of you vote against this bill. The decision to get an abortion should not be up to anyone other than the person who is pregnant. If abortion procedures in Nebraska were illegal a year and a half ago, when I made the decision to have an abortion, my life would have been dramatically affected and not in a good way. I would have had two choices to make. I would have had to travel to another state to obtain a legal abortion, or I would have been forced to continue the pregnancy against my will. I don't think I can express to you in two minutes how traumatic it would be for me if I would have had been forced to continue my unwanted pregnancy, but I'll try to briefly explain. I would have feared for my health the entire time, because I was having extreme pain and I knew something was wrong. I've also had issues with my reproductive system in the past, which have been difficult mentally and physically to deal with. So I know that I don't want to ever physically bear a child. I would not have been able to afford it financially. I wouldn't have been able to handle all the medical bills, let alone the expenses of paying to raise a child. I struggle to pay monthly bills as it is to support myself, and I would have been devastated mentally if I was forced to have a child that I didn't want. I'm against this ban for so many reasons, but the bottom line is that it's not the government's place to make medical or personal decisions for women or to force religious beliefs on everyone. We should have the freedom to choose whether or not we have children. If you don't want to have an abortion, you do not have to get one. Again, I'm asking that you choose to vote against this bill and choose to protect the personhood and the rights of women. Thank you for your time.

LATHROP: Thank you for your testimony, and thanks for being here today.

VICTORIA PLUM: Thank you.

LATHROP: OK. Next opponent. Good afternoon.

SARAH PARKER: Good afternoon, Senator. My name is Sarah Parker, S-a-r-a-h P-a-r-k-e-r, I am an opponent of this bill. I am here today because I'm an adopted individual and I think you all need to hear from an adopted individual who is pro-choice. I realize-- no, what I'd

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

like to say, and I'm going to make it brief, because I don't want to take up two minutes. I need to use the facilities. That said, as an adopted person, I would hope that you would all think thoroughly about upcoming votes. It's essential to everyone in this state. If you are going to vote pro-life, so to speak, I would prefer to call it pro-birth, realize that we-- you would have to talk to the senators in Washington that are from Nebraska, the representatives in Washington from Nebraska and think this through thoroughly on your own, because we are going to need a lot more monetary support from all of you. Think about that. Again, an adopted child who is pro-choice, and there are more of us out there, OK? Lots more. So please think about this. I got to go.

SLAMA: Out the door to the right.

LATHROP: OK. Good afternoon and welcome.

JO GILES: Thank you, Chairperson Lathrop and members of the Judiciary Committee, my name is Jo Giles, that's J-o-e G-i-l-e-s, and I'm the executive director of the Women's Fund of Omaha. We oppose LB933 and its attempt to outlaw abortion in Nebraska. While the majority of people who have an abortion already have one or more children, the most common reason for choosing an abortion is not being able to afford having a child. Research shows that when a person wants to end a pregnancy but is denied that choice, they are more likely to end up living in poverty, Having a hard time affording basic needs like rent and groceries. Limiting women's access to abortion will continue to have a devastating impact on their economic well-being, as well as have a high economic cost to businesses and communities in Nebraska. The Institute for Women's Policy and Research estimates that if all state-level abortion restrictions were eliminated, about 500,000 more women aged 15 to 44 would be in the labor force, and they would earn more than \$3 billion annually, an amount that would go back into local communities. Effects of abortion access are stronger for black women, increasing their participation in the labor force by 6.9 percentage points. Barrier-free access to reproductive health care is central to our work, focus on gender equity, and the consequences of being denied an abortion plague already marginalized women and drive them deeper into poverty. We urge you to vote no on LB933 and allow women and pregnant people the right to make choices over their own bodies that are the best for themselves and their families. Thank you, and I'd be happy to answer any questions.

LATHROP: I don't see any ques--

PANSING BROOKS: I have a--

LATHROP: Senator Pansing Brooks.

PANSING BROOKS: I just-- we had somebody speaking about how they felt that being pro-choice was, was akin to eugenics and systemic racism. Do you have a comment on that in response?

JO GILES: I didn't hear that, that person earlier today.

PANSING BROOKS: Yeah, just said that, that, that there's racism because of abortion, because more African-- people of color are, are using that method as, I guess, birth control.

JO GILES: I think what they're trying to get at is when you expand abortion care, it allows people who are marginalized to be able to have access. And the people that are typically marginalized, meaning they can't afford it due to cost or geography, are people of color, are low-income people in many of our rural communities.

PANSING BROOKS: Do you feel it's being used as eugenic method of, of--

JO GILES: I don't, no.

PANSING BROOKS: --controlling?

JO GILES: I do not.

PANSING BROOKS: Thank you.

PANSING BROOKS: Don't see any other questions. Thanks for being here.

JO GILES: Thank you.

LATHROP: Oh, sure, sure. Look, can you wait just a second and we'll take this lady with the baby? All right, good timing.

CYNTHIA CLARK: Hi, my name is Cynthia Clark. I just wanted to--

LATHROP: Can you spell your name for us?

CYNTHIA CLARK: C-y-n-t-h-i-a C-l-a-r-k. So I just wanted to quickly say that, you know, my family came here as political refugees and, you know, back in my country, in Guatemala, a lot of times women don't have a right to their bodies and make those choices of whether or not they want to have children. My own mother had her children very young, 15, and that's why she brought us here to America, to try to have a

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

better life for her kids and for especially her girls, for us to make those choices on our own. So this is something I feel very strongly about, being able to make that choice and being able to have children, whether you want to or not, it's definitely should be a woman's choice. So thank you for listening.

LATHROP: OK, well, thanks for coming and testifying.

CYNTHIA CLARK: Yeah, thanks.

LATHROP: OK. Good afternoon and welcome.

KISHAN SRIKANTH: Good afternoon, Chairperson Lathrop and members of the Judiciary Committee. My name is Kishan Srikanth, that's K-i-s-h-a-n S-r-i-k-a-n-t-h, and I'm a third-year medical student. I strongly oppose LB933. I would first like to talk about the impact this bill would have on maternal mortality. Compared to many other developed countries such as France, Canada or the U.K., the United States has nearly double the maternal deaths during live births. Unfortunately, this trend would only worsen with anti-abortion laws such as this bill. A study done by the University of Colorado Boulder found that since pregnancy is 33 times riskier to the mother than having an abortion, those who seek an abortion, such as women of color, women from underprivileged backgrounds and those with acute and chronic health conditions will face a substantial rise in mortality rates, up to 21 percent. Anti-abortion laws such as this bill will further exacerbate this health crisis and disproportionately affect those with minimal representation. Prior claims that bills such as this one or being pro-abortion is racist is actually laughable because we're arguing for them to have a choice, and people of color are choosing to have an abortion for whatever reason that they may be. My second point is the hypocrisy when comparing the dialogue surrounding mask and vaccine mandates to this bill. Once again, I would like to reiterate we are fighting for the choice. No one is forcing these women to have abortions. We are just asking that they have the choice of what happens to their own body. Many representatives of the proposition are against the vaccine and mask mandates. And Senator Slama, an author of the next bill, the heartbeat bill, recently said that that mask mandate should always be a personal choice. It was also quoted that receiving the COVID vaccine is your choice, and it's not the federal government's place to decide for you. So I ask openly, why is it the government's place to decide if you can't get an abortion? Where is the discretion when it comes to abortion versus mask and vaccine mandates? It doesn't seem to make any sense to me. So in the end, to me and to many people, this debate is not necessarily about

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

whether a fetus is a person, but whether a woman is. Please vote this bill down to preserve the rights and autonomy a woman should have. Thank you.

LATHROP: OK. Thank you for your testimony. I don't see any questions today. Next opponent. Good afternoon.

PAUL FARIVARI: Good afternoon. My name is Paul Farivari, that's spelled P-a-u-l F as in Frank-a-r-i-v-as in Victor-a-r-i, I am a registered nurse speaking on behalf of myself, and I oppose LB933, LB781 and LB1086. As a registered nurse, our profession is held to the highest standards of ethics in promoting the delivery of care to our patients. We enforce autonomy, nonmaleficence, justice. We work with our interprofessional teams to empower patients so that they have access and are involved in their care goals of getting their physical needs met, mental, social and emotional needs. And to do our best to help that patient receive that informed care, there are some times where we need to be blunt and direct with our patients. Because of the risk of post-trauma stress from parents trying to support their children that are incompatible with life that they wanted to have the choice of abortion, I will not go into the-- describing the interventions and the suffering that they went through is a line that I will not cross right now. But what I wanted to talk about was there are certain conditions for the infants that affect their neurological system, cardiovascular, pulmonary, and in some cases, some of these diseases, they have a median life expectancy of seven-- of 10 days after birth. The patients that cannot terminate those pregnancies in other states, they blame themselves for having to carry out this-- having to carry things out. They're afraid to touch their pa-- they're afraid to touch and handle their babies because of all of the lines, drains, tubes and just how vulnerable they are. It's hard on the patient, it's hard on the family, it's hard on our team members. It's-- and speaking on behalf of some of my friends, I kind of wanted to talk about infertility as well. There are some of my friends that have struggled with infertility for years. They bla-- again, they blame themselves, they blame their bodies, and the thought of not having access to the abortions would cause them despair. Thank you.

LATHROP: Thank you for your testimony and coming down today. Well, they're moving to the front row. Good afternoon.

ILSA GILBERT: Hi, good afternoon. My name is Ilsa Gilbert, I-l-s-a G-i-l-b-e-r-t, I'm here to speak in opposition of LB933. As I look around, I do notice that a lot of you are men and you will never understand what it's like to be pregnant. So I have accepted the fact

that I can't convince you of how terrible it can be. The truth is, is that these bills are solely an attack on women's basic rights to the American dream. The right to choose if and when you're ready to have a child. Being a parent is the hardest job there is, in my opinion, and it should not be taken lightly. These vicious attacks on our bodily autonomy remind me of when the people in this same community were afraid. The government should force us to get vaccines, which you didn't do. So I implore you to look back on whatever reasoning you found for not mandating vaccines for the bills being presented here today. The story that I'm about to tell you, I debated whether or not you even deserve the right to hear. But if your job is truly to stand with me and protect my freedom, then I will tell you my story. My story is not a tragic one at all. In fact, I think it's a beautiful love story. Very early on in the relationship with my now husband, I got pregnant and we decided to abort. Since this is a really time-sensitive issue, I had to decide quickly if this man that I had been with for only a few months was the one I wanted to have a child with, and he already had three kids. So by the time I was eight weeks, we made the decision and he supported me through it all emotionally and financially. Fast forward a few years, now we're happily married. We have an 11-month-old son. I'm able to be a stay-at-home mom for him and my three step kids. And yeah, we own a home now. I have-- I feel like the choice to do the right, like when I wanted to was just a big, big help. So please don't take that away from, from us. Thank you so much.

LATHROP: Thank you. OK, this looks like we're having trouble with this. So I'm going to-- one of you can sit down. I'm going to institute one more rule. In the front, let's, let's do this next to the doctor. We'll just move down like this and we'll fill this chair in and then move this way. And when somebody gets up, just move over one and then we'll try to make it a little more orderly and you can race to that seat. Good afternoon.

ABBY JOHNSON: Good afternoon. Hello, my name is Abby Johnson, spelled A-b-b-y J-o-h-n-s-o-n, and I am testifying in opposition to LB933. I am just here again to share my own experience on how this Legislature interfered with my medical care and ask that whatever value you place on an embryo or a fetus should at least be the value that's afforded to me as I sit here today. And I also just want you to remember that what may just be political posturing in here right now isn't going to be soon when it's, when there are real people experiencing real harm. Shortly after I graduated UNL in 2016, I relocated to New York City to work in book publishing, and in 2018 I had a job as an editorial assistant for Oxford University Press. I was making-- I was making \$16

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

an hour, and although I'd been offered health insurance through my job, I opted to waive coverage so I could stay on my dad's plan until age 26. He's a retired Omaha firefighter, and his health benefits were much better. On Thank-- on Thanksgiving Day 2018, I learned I was pregnant. I made an appointment at a Planned Parenthood in New York and called Blue Cross Blue Shield, only to find out that they would not cover any abortion care under LB22 passed in 2011. Two days before my appointment at Planned Parenthood, I began to bleed heavily and I would not go to a doctor or visit a clinic because I thought it would still cost me \$600. I was confused by the law enacted here, and I thought I could tough it out. I was scared, I was in pain and I deserved care. And I didn't realize that the cost of a spontaneous abortion, a.k.a. miscarriage, would in fact be covered under the law. And trying to interpret the language of abortion law and navigate the Nebraska Legislature's website is difficult to do, even when you're not worried that standing up might make you pass out. If I told my past self that I would be sitting in front of the Nebraska Judiciary Committee talking about my medical emergency and heavy vaginal bleeding, I would think that was crazy. It would seem more like a story for a doctor than a senator, and I would be right. But here I sit anyway, because this legislator-- Legislature inserted itself into my health and well-being in a way that I cannot forget. And in a way that I just want you all to think about just for a minute. Thank you for listening.

LATHROP: Thank you, Miss Johnson. We appreciate you coming down today. Yeah, no, we're moving in this direction. Sorry.

ALYSSA SALAMANCA GHAJARIEH: Good afternoon, and thank you for the opportunity to speak, my name is Alyssa Salamanca Ghajarieh, A-l-y-s-s-a S-a-l-a-m-a-n-c-a G-h-a-j-a-r-i-e-h. I'm a first-year medical student at Creighton University School of Medicine in Omaha, pursuing obstetrics and gynecology. I oppose LB933. Individuals who decide to have an abortion should be able to do so with dignity and on a timeline that meets their needs. Anything less is a fundamental violation of one's freedom and autonomy. Under this proposed ban, individuals would be denied control over their own health, replacing an individual's decision making with a political agenda. Senators such as Julie Slama who back this bill have stated that they will work to protect the freedoms of all Nebraskans and promote rural economic development. The legalization of abortion increases increased women's education, labor force participation, occupational prestige and earnings, all of which contributes greatly to rural and urban economic development. How can you vow to protect a freedom if you are proposing to take it away? One of our goals in Nebraska is to keep young people

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

like myself in our state. We can see this through our participation in the National Millennial Action Project via Next Generation Nebraska. As a young female future physician and proud Nebraskan, this is where I was married, this is where my husband and I plan to raise our family and build our lives together. However, I cannot in good conscience live and practice in a state that creates a hostile environment for women. I value my personal liberties, health care autonomy and right to privately make my own reproductive decisions. If you truly hold my best interest at heart, I would hope you see the only acceptable position to LB933 is opposition. Thank you.

LATHROP: Thank you for your testimony. Next testifier. I apologize for creating confusion over there. I'm trying to bring, bring an orderly process to this. Welcome.

JESSICA BOYLES: Thank you. Hello. My name is Jessica Boyles, J-e-s-s-i-c-a B-o-y-l-e-s, and I am a third-year doctoral candidate in counseling psychology and also a provisionally licensed mental health counselor here in the state of Nebraska. And I am in opposition of LB933. As we have heard, many people who have come up to talk about post-traumatic stress. It is what I work with. It is what I see. The thing about it is when we talk about this and we say that we're going to take away the right to choose abortion, we then add more mental health stigma, more mental health occurrence. And we already don't have accessible mental health within our state. The people that are going to be affected by taking away the choice are going to be people of lower income and lower SES, and they already lack access to mental health care, medical care and other areas. And so creating this bill would take away those options again, create more poverty, create more mental health issues and then create just a bigger expanse of what we already have, all while being in a global pandemic and the stress that is being taken on that. So I will not take my full time, but I thank you for listening to me and I hope that we oppose LB933. Thank you.

LATHROP: Thanks for coming down. Next opponent. Good afternoon.

SUSAN WALLIS: Hello. I'm Susan Wallis, S-u-s-a-n W-a-l-l-i-s, I'm testifying today in opposition to LB933. I have always advocated for the rights of others to access abortion, but I've never actually shared this story. I was 22 years old when I had an abortion. I was 22. Such a baby, now when I look back. Yet back then, I thought-- I told myself over and over, I was old enough to know better. That's the story, I said it over and over, old enough to know better. I had unprotected sex. I got pregnant. I terminated the pregnancy. And I have told myself that story over and over, that I should have known

better. And it was shame that I carried for a long time throughout my life. Not regret, shame. Not ever once have I regretted my abortion. It was the right choice for me at that time. And now I look back and I can see that 22-year-old version of myself. She was bright and strong, and she was strong enough to know that, to know better, and she knew what was best for her. She knew she couldn't afford a child and she had a vision for her life, and she worked really hard to make that vision a reality. And yet I've carried the shame. And I came to realize that it's not my shame, that it's moments like these. It's bills like this. It's our society that's wrapped abortion care, actual access to health care in shame. And I have known that what was best for me and every single woman deserves the right to do that, too. Today, I'm a mom. My six-year-old daughter, five-year-old daughter, is here with me, and I'm the only person in my family to have graduated college. I have a master's degree. I have a successful career and a beautiful family, and I'm really proud of that. I'm proud of the life that I've created. And the story that I'm telling myself now is that the young age of 22, I didn't know better. I wasn't ready to be the kind of parent that I knew I wanted to be. My house when I grew up, it was a place of love, but it was also a place of substance abuse and domestic violence. And I knew I wanted something different for my family. I was able to make the right choice for me at that time of my life, and all women deserve the right to make that choice. When I became pregnant, I wondered would I feel differently about it? When I felt a fetus inside of my uterus, would I change my opinion? I didn't. I feel more resolve now as a mother who went full term with the pregnancy and gave birth than I did at that time because pregnancy is so all-consuming. What a terrible punishment to give someone to carry a pregnancy full term that doesn't want to be a mother, that doesn't want to give birth. That's my time. Thank you.

LATHROP: Thank you. Thanks for being here today. Next testifier. Yeah, we're going to, we're going to observe this line because I-- we'll create chaos with-- by taking people out of order. Pardon me?

_____ : She has a heart--

EMMA SCUDDER: I have a heart condition and I don't have my medication, so I [INAUDIBLE].

LATHROP: OK can't argue with a heart condition. Good afternoon.

EMMA SCUDDER: Good afternoon, members of the Judiciary Committee. Thank you for your time. I'm Emma Scudder, that's E-m-m-a S-c-u-d-d-e-r. As a former women's and gender studies major, Planned

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

Parenthood employee [RECORDER MALFUNCTION]-- General's Office Child and Services Division and law student, I have firsthand studied and seen the positive impact on having safe access to abortion has on families and states, not only socially but financially. However, because time is limited, I want to home-in on one point on which we can all agree: no one likes anyone having an abortion. No one wants more abortions. Everyone can agree on that point. However, attempting to reduce abortions by outlawing them and limiting access has proven to be ineffective and unsafe. So the question becomes, do you want to create a framework where abortion is safe, legal and rare or are you looking for a talking point to create a partisan wedge issue? If the real concern is solutions and not campaign issues, it's been proven statistically that these are among the things that work to reduce abortions: provide easy and free access to birth control; provide social services to support women before, during and after birth; provide free child care. If the government wants to insert themselves into the home and the ultimate goal is fewer abortions, this is the way to do it. These measures result in lower numbers of abortion than outlawing abortion outright because they give women the resources they need. If we remember the overriding point that no one wants more abortions, we can trust women to make the right decision for their individual circumstance in consultation with their families and doctors, and focus our time and energy on logical, commonsense solutions that result in fewer abortions and a better society. In conclusion, I would ask you to vote against LB933. Thank you for your time.

LATHROP: OK, thank you. Next, we-- come on up. I really-- we really-- we have a system here, if you need to get in line. Well, I don't want to get the whole line mad at me because I'm having people cut it.

JILL BROWN: Sorry.

LATHROP: Worst part of my job is running that light system and organizing the testifiers.

_____: It's pay.

LATHROP: Maybe it's the second worst part. In any case, welcome.

JILL BROWN: Thank you. Chairman Lathrop, members of the Judiciary Committee, my name is Jill Brown, J-i-l-l B-r-o-w-n, I'm a developmental psychologist and a professor at Creighton University. I'm here to testify in opposition of LB933. So I'd like to share with you actually the best and most comprehensive study on the outcomes of

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

abortion. So get your scientific nerd hat on with me for two minutes. Referred to as the Turnaway Study, Diana Greene Foster recruited 1,000 women from 30 abortion facilities in 21 states between 2008 and 2010 that were either in two groups. One, turned away from an abortion due to gestational limits; or who had an abortion. Women were interviewed every six months over five years to learn how receiving versus being denied an abortion affects women's health, life aspirations and well-being of her family. Fifty academic papers resulted from Dr. Foster's study, which was a collaboration of over 40 interdisciplinary scientists. I've included just five of those papers for you. Here's the findings. There is no evidence that abortion hurts women. For every outcome analyzed, women who received an abortion were either the same or more frequently better off than women who were denied the abortion. Their physical health was better, figure 5 shows that in your pocket. Their mental health was initially better, eventually the same. They had more aspirational plans for the coming year, and their children were actually better off. The research finds many ways that women were hurt by carrying the unwanted pregnancy. Continuing pregnancy is associated with a large physical health risks, poor overall health. In the short term, women experience increased depression, anxiety, loss of satisfaction. So to the extent that abortion causes mental health harm, actually the harm comes from being denied these services, not the provision of it. Women denied an abortion experienced economic hardships not experienced by women who received it. Figure 6 in your packet shows 20 percent increase in women living below the poverty line that were denied the abortion. As a social scientist and a citizen, I'm wondering where the fiscal note attached to this is. It's irresponsible with data available like this to not intro-- introduce this bill without ensuring that the state has resources for lost wages and for increased mental health care. This research is proof that having an ab-- that not having access to abortion will harm women and children in Nebraska. As a mother, I would encourage my daughters to leave Nebraska if we don't have access to abortion. As a professor, I would encourage my students to work in a state that gives control over the body, and I'm not alone. This is the bottom line for many Nebraskans. Thank you.

LATHROP: Thank you. Thank you for being here, Dr. Brown. Next opponent.

SUSAN THOMAS: Good afternoon.

LATHROP: Good afternoon.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

SUSAN THOMAS: My name is Susan Thomas, S-u-s-a-n T-h-o-m-a-s, I grew up in Burt County, in Nebraska, and I live in Omaha. I have four adult children and three grandchildren. The four adult children, some are trying to have their own children. Others are trying not to have children. I am here today to advocate for the rights of women to make their own decisions if and when to bear a child. The saddest and most appalling part of the proposed LB933 is that if enacted, Nebraska would have one of the nation's most restrictive abortion laws, often banning abortions before women even know they're pregnant. And I do not accept that this legislative body should decide for any woman whether or not it's appropriate to become a parent. Surely, everyone here understands the difficulty emotionally, physically, financially of having a child. When a pregnant woman decides she needs to have an abortion because she does not have the resources emotional, physical or financial to continue the pregnancy, it's wrong for Nebraska laws to impose delay or require travel to another state, or most egregious, to demand that that woman carry a pregnancy to term against her will. Do not stand in the way of all women's rights to make their own decisions about their bodies and please make Nebraska an attractive place to live for young, intelligent, educated people who want to make their own decisions. Please vote no on LB933. Thank you for your time.

LATHROP: Thank you. Thank you. Good afternoon and welcome.

CALLEIGH TATUM: Hello, my name is Calleigh Tatum, C-a-l-l-e-i-g-h T-a-t-u-m, and I am here to speak in opposition of the bill LB933. The right to choose is something that you cannot take away. People who were born female will continue to have abortions, whether if you ban it or not. But if you do ban it, it will strip away of them having safe access to these medical procedures. Last year, seven million people died because they did not have access to medically safe abortions. That means every eight minutes someone died for-- because they did not have access to medically safe abortions. The World Health Organiz-- Organization said, restrictive abortion regulation can cause distress and stigma. And the risk continuing a violation of human rights, including the right to privacy and the right to nondiscrimination and inequality, while also posing financial burdens on people, regulations that force people to travel to obtain legal care, or require mandatory counseling or waiting periods, lead to loss of income and other financial costs, and can make abortion inaccessible to women with low resources. Putting more restrictive laws on abortion will limit safe abortion. The World Health Organization also stated that evidence shows that restricting access to abortions does not reduce the number of abortions. However, it does affect whether abortions that people obtain are safe, countries with

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

highly restrictive abortion laws than countries with less restrictive laws. Outlawing abortion will not decrease the number of abortions that happen, it will only further increase the amount of fatalities that happen because of unsafe abortion. Respecting human life is opposing bill LB933. By not supporting it, it will-- like, people will die. And by supporting bill LB933, it will limit access to safe abortion. So making it unsafe-- it will also make unsafe abortion the only option. By passing LB933 will not take away the choice whether women can have abortion or not, it will take away the choice for safe medical abortion-- abortion, which will result in fatalities. Thank you.

LATHROP: Thank you for being here today. Appreciate your testimony. Next testifier. Good afternoon.

OSCAR SINCLAIR: Good afternoon, Senator Lathrop, members of the committee. My name is the Reverend Oscar Sinclair. Here in Lincoln, I serve the Unitarian church just down on A street.

LATHROP: Can you spell that for us, Reverend?

OSCAR SINCLAIR: O-s-c-a-r S-i-n-c-l-a-i-r. I'm here on behalf of my congregation and also on behalf of the Nebraska Religious Council for Reproductive Freedom. I am here in opposition to all three bills before you this afternoon. I appreciate your attention as this is 4:00 on a Thursday afternoon in the midst of a long day. And I know Reverend McKnight spoke earlier today on the theology behind these bills, so I want to take a moment and just talk about what my job looks like some days. I was up late last night into the evening talking with a family in the midst of a difficult choice. They had just received a life-altering medical diagnosis and were trying to decide which path to take moving forward. In this case, it was the aftermath of a pancreatic cancer diagnosis. Do they pursue chemo? Do they pursue radiation? Do they pursue surgery? Do they stop treatment? Most all of us, including I bet every one of you on the committee has a story about some family meeting like that. It is both the honor and the deep grief of my profession that I get invited into many of them and I promise you, not one of them is easy. Not one of them. So imagine, though, from your experience in that moment, how it would have gone if somebody had said, well, if the cancer is in stage two or higher, we can't do chemo, not because it isn't an option medically, but because of the state of Nebraska says that we can't. Senators, health care decisions belong between a patient and a doctor. Not with the church, not with the state government. In the many conversations I have with people in the community, whether on reproductive health or

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

oncology, the question is always the same, what do you need? What do you need in this situation? The patient. These three bills put the state government of Nebraska in the room, in that conversation. It does not belong there, Senators. Thank you for your time.

LATHROP: OK. Thanks for being here, Reverend. Next testifier. Good afternoon.

STEPHANIE MONTGOMERY: Good afternoon, Chairperson Lathrop and members of the Judiciary Committee. My name is Stephanie Montgomery, spelled S-t-e-p-h-a-n-i-e M-o-n-t-g-o-m-e-r-y, and I live here in Lincoln in District 25. I'm here to testify in opposition to LB933. I'm here first as a mom. I, including five kids, two of whom are teenagers growing too fast and who might face an unintended pregnancy someday. I want them to be able to make choices about whether or not to continue that pregnancy in private and without fear. And if they do choose to end the pregnancy, I want them to be able to access abortion safely with dignity and without shame, anti-science restrictions or having to travel to another state to do so. I've got to be honest, when we talk about these issues at the dinner table, and we do every single night, my kids are scared about what Nebraska might look like in the future. Regressive policies like this make them want to leave the state for college and never come back. I'm also here as somebody who understands what it's like to be pregnant. I had really difficult pregnancies with complications that put my health at risk, involving multiple medications, late night trips to the E.R., hospital stays, bed rest and early deliveries. And I fought to continue each and every one of my pregnancies, but these experiences left me even stronger in my belief that no one should be forced to continue a pregnancy against their will. I'm also here as a Nebraskan. I want to live in a state that values my life and all people's rights to privacy about their body and the freedom to access health care. And you know what? I'm not alone. I'm here with all of these people in this room. And polls show that abortion bans do not reflect the views and values of Nebraskans. According to the Pew Charitable Trust's Research Landscape Survey, 50 percent of adult Nebraskans think that abortion should be legal in all or most cases, compared to 46 percent who think that it should be illegal. And that includes people across the political spectrum: Republicans, Democrats, independents. I want to stay in Nebraska and raise my kids here, but it's a difficult choice when people propose a ban that is among the most restrictive in the country. I encourage you to oppose LB933 and keep it off the floor of the Legislature. Thank you.

LATHROP: Thank you. Thanks for being here today. Good afternoon.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

MIA PERALES: Good afternoon, my name is Mia Perales. I'm 16 years old, and I attend Omaha South High School. And I--

LATHROP: Can you spell your name for us--

MIA PERALES: OK.

LATHROP: --and maybe speak just a little louder because--

MIA PERALES: M-i-a P-e-r-a-l-e-s, and I'm here to oppose LB933. I'm missing today because I am terrified for my future. I am terrified for the future of all Nebraskans who can conceive. To any normal person, it is the general consensus that an eight-year-old is not able to bear a child, let alone become a parent. When I was assaulted at eight years old, had I been impregnated under LB99-- or LB933, would I have to carry out that pregnancy? Instead of playing soccer with my cousins and going to Girl Scouts, would I be at home raising a child I did not consent to? Although rape and incest account for only a small amount or a small percentage of abortions, they still occur. In fact, 9,448 abortions occurred because of rape and incest in 2019, according to CDC data. LB933 is a direct attack on all childbearing people. It tells us we are valued more as sex objects rather than people who deserve body autonomy. Gloria Steinem states, It's the basis of democracy that you control your own body, and it's the basis of hierarchy and total tal-- totalitarian regimes that you don't. Under the trigger ban, we lose our rights of body autonomy that America is praised upon. When one in four women have an abortion, it is not down to a political issue. It is a human health rights issue that, if this bill is passed, is going to be stripped away. So I beg you to have compassion and think of how this bill is going to affect everybody in Nebraska. Thank you.

LATHROP: Very good. Thanks for being here. Good afternoon, welcome.

SANDY BLACK: Good afternoon. I'm sorry. My name is Sandy Black, S-a-n-d-y B-l-a-c-k, and I'm here to speak in opposition to LB933, and actually the other two bills as well. In 1974, my husband and I had our first child. Within 24 hours after his birth, I had a grand mal seizure and was air ambulated to University Med Center, where I was in intensive care for three to five days, not sure. While I was there, I was told that my chance of having this postpartum toxemia was maybe 25 percent more than most women. The mortality rate for it is 20 percent. We wanted two kids, and so we got pregnant again. And I have to tell you before I got pregnant, that 20 percent seemed a lot smaller than it did afterwards. So over the next, it seemed like 12

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

months instead of nine, I was fearful. I was scared. I was writing letters to my son, saying, Gosh, I'm sorry, I'm not here to watch you grow up. I really love you, and I want you to know that. And it was awful. And you know, people said, oh, the doctor has got it under control. Don't worry about it. Well, you know what? I worried about it. At six weeks, I still hadn't had a menstrual period. I was afraid I was pregnant again. And I told my husband, there is no way in God's green earth I can go through this emotional trauma again. If I am in fact pregnant, I will have an abortion. And I meant it. Fortunately, I didn't have to make the choice, but this made me see that when legislation bills like this come up, they are saying the fetus-- the value of the fetus is greater than the value of the woman carrying it in every circumstance, without any look at the variety of reasons why a person might make the choices that they do. I'd like to think that my value as a mother to my two children would have-- would outweigh any abortion I might have had at that point in time. And I think that's the piece of this that you can't possibly take into account, is the individual-- and you need to not vote for it. Thank you. I've got to go get my car before it gets towed. Are there any questions?

LATHROP: I don't see any. Thanks for being here, Ms. Black. Good afternoon, sorry about the mixup on the line.

GENENNE DIDIER: You can do anything, you're great.

LATHROP: OK.

GENENNE DIDIER: Not a problem. Thank you so much. I appreciate being here. My name is Genenne Didier, G-e-n-e-n-n-e D-i-d-i-e-r. This is one of my favorite rooms in the whole world. I want to say thank you to all of you. You're in my home every day, I watch the Legislature. I have a job that I work nights, so I get to spend my days with you, morning and afternoon with the hearings. Thank you so much. This bill and the other two bills hit home with me. I looked-- I was thinking to myself, what is the history of abortion in the United States? So I pulled up this article. Now I know it could be, you know, you could pull up any article you want. But this struck home with me. I want to also first thank Dr. Turner, who is here, for what she does. Any who, if-- you can read this yourself, of course, but I wanted to point out that the history of abortion in the United States came in the 1600s. The Puritans brought it over from abroad. Abortion was not just legal, it was safe. It wasn't until the Victorian era that it became illegal, and all except for Kentucky that became illegal. And it was, in the Victorian era, it was thought that abortion was a problem brought on by upperclass white women who were choosing to start their families

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

later and limit their size. Interesting. I was going to close by saying that--

LATHROP: You still have another minute. It's yellow.

GENENNE DIDIER: Oh gosh. Well, I will close, though, by saying that this is a fascinating article, I thought. And the history of the United States, and then finally, in 1973 is when it became legal again for a woman to make a choice. I had a relative who was a very staunch Republican, a very big donor here in Nebraska. She was also a Republican. I think I got a lot of my grit from her, and because of her, because of Senator and candidate Pansing Brooks, I brought a bill to this Legislature five years ago, the visitation bill, and it got passed. Thank you also, Senator Morfeld, for being a very strong advocate. Senator McKinney, you're a rock star. I've been watching you like no other. Great job. I truly am concerned. I think we should focus on the core, which is males. Men are the core of pregnancies.

LATHROP: OK.

GENENNE DIDIER: Without them, we couldn't get pregnant. Last, I won't live in a state that doesn't give a woman a right to choose her own decisions. And I won't live in a country either, that doesn't give a woman the right to do what she wants to do with her body.

LATHROP: OK.

GENENNE DIDIER: Thanks.

LATHROP: Thanks for being here, and thanks for watching. We don't know how many people that actually watch, so it's always good to know somebody is keeping an eye on us.

GENENNE DIDIER: Every day. Good night.

LATHROP: Good night. Good afternoon.

CHELSEA SOUDER: Good afternoon, my name is Chelsea Souder, C-h-e-l-s-e-a S-o-u-d-e-r, and I'm here in front of you today as a previous abortion provider in Nebraska, as a founder and current director of the only statewide abortion fund, Nebraska Abortion Resources, also known as NEAR, as a board member of the Reproductive Coalition for Reproductive Freedom, and as a person who's been pregnant seven times and has four beautiful children. What I have learned throughout my lived experiences, my research on abortion access in Nebraska, my direct clinical abortion care, and now as a

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

director of NEAR is that there is no single abortion narrative. And as abortion access is rapidly becoming increasingly restricted for many people, the context in which pregnancy occurs can also greatly influence the access to abortion care available to different folks. Barriers to access often include race, gender, culture, religion, immigrant or refugee background, physical ability, linguistics, zip code, status of health coverage and socioeconomic status, which all are compounded by one another and make abortion access nearly impossible. But let me be clear that these barriers are a direct result of restrictive laws and abortion bans just like LB933. At NEAR, we financially and logistically support folks being seen at abortion clinics in Nebraska by paying for their procedures, helping book and pay for travel and lodging, and providing cash assistance for any other needs like child care, food assistance in order for them to not forgo basic needs, all in an effort for them to access basic normal health care. In Nebraska, nearly 50 percent of patients accessing abortion receive some sort of financial support from organizations like NEAR, and in the past 31 days, we have pledged \$4,300 on behalf of 30 Nebraskans accessing abortion care. That's not to say that that covers all of the need because it also, in addition, almost \$7,500 was pledged by other funds outside of Nebraska to help folks access that care as well. The reality is that people with resources and support systems will always be able to access abortion even if it's burdensome. But those who will be most affected by laws like LB933 are the most marginalized. The legacy of restrictions on reproductive health care has perpetuated white supremacy, anti-black racism--

LATHROP: Miss Souder.

CHELSEA SOUDER: --and has endangered the lives of those seeking abortion care. And I ask, what legacy are you willing to leave for Nebraskans? Thank you.

LATHROP: Thank you for your testimony. Good afternoon and welcome.

ABIGAIL WALLER: Good afternoon. My name is Abigail Waller, A-b-i-g-a-i-l W-a-l-l-e-r, and I'm from midtown Omaha. I'm here to speak in opposition to the proposed restrictions on abortion bills, LB781 and LB933. These bills are very personal to me because I've had an abortion. I'll say that again, I've had an abortion. In early January of 2020, my husband and I found out that we were having our second baby after hoping for so long. I was giddy. I told everyone I knew. At the end of February that year, I had a genetic test done based on the recommendations for my age. A week later, we learned I was carrying a baby girl with Trisomy 21, Down's Syndrome. My husband

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

and I were shocked and scheduled additional testing to learn more. A week later, I went in with my mom to have a chorionic villus sampling test and a genetic ultrasound test completed. During that ultrasound, I knew something was wrong when the maternal genetic physician interrupted and took over the-- took over from the ultrasound tech. It turned out my poor baby's body was completely swollen. She had a heart condition and she had a fetal cystic hygroma that was affecting the way that her brain was developing. Without the genetic testing at 10 weeks, we would have never known that she had this genetic condition. So my husband and I made the difficult decision to go ahead and terminate our pregnancy. Ladies and gentlemen, I personally understand what health care is working in it over-- for almost 15 years, I've worked in several NICUs in Omaha. I understand what pain is. My baby didn't go through pain.

LATHROP: Thanks for being here.

ABIGAIL WALLER: Do you have any questions in regards to my procedure?

LATHROP: I don't see any questions. Thanks for being here.

ABIGAIL WALLER: Thank you.

LATHROP: Good afternoon and welcome.

STEVE HUTCHINSON: Good afternoon, my name is Steve Hutchinson, S-t-e-v-e H-u-t-c-h-i-n-s-o-n. I've been a resident of Omaha for about 20 years, and I'm here today to speak in opposition to LB933, LB781 and LB1086. I'm here to remind you of what presumably you already know, namely that there is no state religion in either the United States or the state of Nebraska. Nor should either of them be operated as theocracies, which is government run by officials who believe they are divinely guided. They are, in fact, representative democracies, citizens elect legislatures to represent their views, and a majority of people in this state are opposed to these proposed restrictive laws. On the subject of divine guidance, many strongly Christian countries have liberal abortion policies because it's the will of a majority of their citizens who assuredly are no less religious than our population here. I also want to point out that while a clear but relatively narrow majority of Nebraskans oppose these pieces of proposed legislation, a much more substantial majority of educated, skilled people of childbearing age, both men and women, oppose these policies that are at the heart of these proposed laws. These are just the people that Nebraska needs to attract and retain in order to prosper. The marketing tagline, Nebraska, it's not for everyone, is

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

true. Unfortunately, the people you would be driving away with these harsh restrictions on abortion, that will prevent some of these same people from creating the families they want when they want to form them, are exactly the skilled, creative people the state hopes to attract and retain. Passing the proposed pieces of legislation would be wrong-headed for Nebraska's economic development, and I request that you vote them down. Thank you.

LATHROP: OK, thanks for being here. Next testifier. Good afternoon.

KACIE WARE: Good afternoon. Excuse me. My name is Kacie Ware, K-a-c-i-e W-a-r-e, and I'm opposed to LB933, which would ban abortion in Nebraska if Roe v. Wade was overturned. I personally got an abortion here in Nebraska when I was 16. While I was legally old enough to consent to sex, I was not old enough to make the decision independently and I used the judicial bypass process to make this decision independently without notifying my parents. Not only was this clearly and unequivocally the best choice for me, I became a strong advocate for people who have had abortion or abortions. In my advocacy work, I've enabled individuals to tell their personal stories about abortion. Abortion stories are as diverse as the people who tell them, which are literally every type of person that can get pregnant. Stories involve abusive relationships, failed contraception, incompatible with life diagnoses, inability to financial support an additional or existing children, health risk to the mother and more. Abortions are a vital part of health care and are required to support healthy, functional lives and Nebraskan individuals and families, no matter the circumstance, which is often a complex and variety of reasons. Everyone deserves the ability to make their own choice about carrying a pregnancy to turn-- to term, excuse me. Abortions save lives. They save lives by cutting dangerous ties to abusive partners and because abortions are safer than carrying a pregnancy to term. Of the dozens of abortion stories shared with me privately or spoken aloud at one of my storytelling events, no one has regretted their choice to access abortion. I urge you to vote no on LB933.

LATHROP: Thanks for being here.

KACIE WARE: Thank you.

LATHROP: Good afternoon.

DAVID MILLER: Good afternoon. My name is David Miller, spelled D-a-v-i-d M-i-l-l-e-r. I am an opponent to LB933, Adopt the Human Life Protection Act. Before I get into the details of why this is my

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

position, I want to clarify two things. First, as a Christian, I am absolutely opposed to abortion in every form, because it is always murder. Without exceptions. So I'm not opposing this bill because I want more room for people to murder the babies. Second, while I do not agree overall with this bill, I do want to express my thankfulness for the efforts and intent of those who are behind it to help save little innocent lives. Thank you very much, and I really mean that. Getting into the details of this bill then, I'm actually in strong agreement with everything this bill says, up to the part where it prevents the mother from being prosecuted for murdering her own child via abortion. If this same logic of preventing the mother from being prosecuted for willingly having her child murdered were applied to a situation where the child was already born, then that logic would appear ridiculous. God's word says that these preborn babies are living human beings. Science agrees that they are alive, just like you and me. And even Nebraska Revised Statute agrees. Just take a look at 28-326, where it talks about dismemberment abortions and calls a preborn child, a living unborn child. And says, and says that dismemberment abortions cause the death of an unborn child-- of an unborn child. If a preborn child is alive, then anyone who is willing, a willing accomplice to-- in its murder should be prosecuted just like it, just like in the murder of any other human being. However, these critical issues aside, there is another issue that's in the bill, and that is the issue of it seeing that it has to get authority from the Supreme Court or the Constitution of the Congress to end abortion. Absolutely. Ladies and gentlemen, Nebraska is a sovereign state. We have the authority to end the slaughter of unborn children right now. We don't have to wait for Roe v. Wade to be overturned. That is unconstitutional, unconstitutional decision. And it is not the law of the land. Courts do not make law. We are not bound by that. I would urge you not to be bound by this artificial chain. Thank you for your time.

LATHROP: Thanks for coming in. Next opponent. Good afternoon.

TRACY HIGHTOWER-HENNE: Good afternoon, my name is Tracy Hightower-Henne, T-r-a-c-y H-i-g-h-t-o-w-e-r-H-e-n-n-e, I'm an attorney at Hightower Reff Law in Omaha. Because of the already harsh abortion restrictions in Nebraska, I represent clients who need abortions regularly. This practice has led me to representing dozens of people who want an abortion. When I first meet with a client seeking an abortion, it's clear that they each have their own story that is unique to them, and every story is different. Without judgment, we discuss their situation and why they're making the decision to have an abortion. I hear stories of why my clients want an abortion, and these stories are filled with hope, positivity, anxiety,

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

eagerness, stress, happiness and sometimes all of the above at the same time. They all have a reason for wanting an abortion, but their reasons are each their own. Never once is one story the same as another. Taking away my clients' option to choose an abortion would be harmful to their stories and their futures. While their reasons are not for us to judge, I want to share some pieces with you. One client wanted an abortion so that she can finish the education she has started and begin her career before she has a family. Another client wanted to wait to start a family because she knew she could not afford to care for a baby at this time. One woman was on the Depo-Provera shot as her preferred method of birth control. She tried to get the shot renewed, but the closest clinic had closed for a period of time during the pandemic, and she was unable to get the birth control she needed. One client couldn't be pregnant and continue to play in a soccer league, the same sport that was paying for her to finish a college degree. Each woman's story is unique and personal. Passing LB933 takes this decision away from the women who are fully capable of determining their own life's direction. LB933 prohibits women from making these medical decisions with their doctor. I urge you to oppose LB933.

LATHROP: OK, thanks for your testimony. Next testifier. Good afternoon.

RACHEL TONNIGES: Good afternoon. My name is Rachel Tonniges, that's spelled R-a-c-h-e-l T-o-n-n-i-g-e-s, I'm 19 years old, I'm a waitress and a student at the University of Nebraska Omaha studying political science and public health. Today, I'm speaking to you as one of the thousands of people from across the state of Nebraska who rely on comprehensive reproductive health care to lead safe and fulfilling lives. Over the last two years, especially, we have seen the blatant and jarring gap in between opinion of that of public health officials and lawmakers widen. The instatement of these abortion bans is a furthering of that divide, an example of lawmakers neglecting their responsibilities to the Constitution in favor of their personal and religious beliefs. As lawmakers, it is your responsibility to uphold the Constitution and protect the precious liberties afforded to all Americans by it. These bills have been proposed to challenge the rights granted to each and every American under Roe v. Wade. Roe v. Wade protects bodily autonomy, but it also protects the mind and soul of every person faced with an unwanted pregnancy. As a young woman and student, thinking about the future has become nearly second nature. I imagine the day that I would walk across the stage for my own graduation, the day that I would get to own my own home, and the day that I will get to get married. Protecting the right to safe abortions

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

is protecting that future. The restrictions posed by these bills will destroy everything that I have worked so hard to achieve if I were to ever find myself facing an unwanted pregnancy. I do not have time, nor the means to travel to another state for a safe abortion. I cannot provide for a child, as is. I could not give that child the love or care that they would need. These bans, however godly, leave so many people like myself vulnerable and afraid. We are not statistics. We are not figurative people. We are real constituents urging every one of you to protect the lives that we have all built. I will not sit here and tell you how to practice your beliefs or what prayers to recite, or how to exercise your religion because those matters truly have no place in this room. I do not expect to have changed any of your beliefs, but if you are on the fence about restricting abortion in the state of Nebraska, I urge you to remember your role as lawmakers, protecting the Constitution in spite of your religious ideologies. We need lawmakers who can put aside their religious beliefs. We need lawmakers who will listen to public health officials and protect our access to health care. We need you all to protect our futures. We need safe and successful access to abortion in Nebraska. Thank you.

LATHROP: Thank you for your testimony. Next testifier. Good afternoon.

STEPHANIE DWORAK: Hello. My name is Stephanie Dworak, that's spelled S-t-e-p-h-a-n-i-e D-w-o-r-a-k, I am a proud resident of District 6 in Omaha. My husband and I were both born and raised in Omaha, and we did everything right as pro-life people like to say it. We got married, we bought our first house and we welcomed our first baby. And then last year, I got pregnant again with our second child. We have fantastic insurance, so I was luckily to be able to opt into every available test they offered me. At 12 weeks pregnant, we discovered that there was an anomaly, but we wouldn't know the severity until more tests were run. It took us six and a half weeks to run the necessary tests, putting me at 19 weeks pregnant with a child that would likely not survive the length of my pregnancy and almost certainly would not survive life outside of the womb, while potentially taking my life in the process. Despite all of the hurdles presented, I chose to give my son the dignity that he deserved, and I was fortunate enough to utilize my privilege to gain plane tickets, child care, hotel stays, a rental car and cash to be able to go to Colorado and get an abortion at 23 weeks along in pregnancy with a child I desperately wanted to keep. Nebraska's law has tried their hardest to prevent me from getting this medically necessary procedure. However, through privilege, I was able to get it done. This story should have ended in my doctor's office with my husband, my doctor and me making the

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

decision that was best for my future, my family's future and my livelihood. And I need you to understand that bills like LB933 are not saving lives. You're hurting them. Thank you for your time.

LATHROP: OK. Thank you for your testimony.

HALLEY TAYLOR: Hi. Hello.

LATHROP: Good afternoon.

HALLEY TAYLOR: Before my time starts, I just want to bring awareness to what's taking place behind me in this room. We have people here willing to share their stories and why they oppose this bill. And there are several plants who are present who are here to speak and take our time. So I'm sincerely hopeful that this democratic process is truly democratic and allows each person willing here to speak in opposition of this bill has that right and opportunity for those two minutes. I'm here with you all night, Senator Lathrop. I'll speak with every bill that we need to discuss. I will use my time respectfully, but I'm asking the same thing is allotted to every single human being sitting behind me who would like to speak, and that plants are addressed as best practice or policy based on this legislative body. I'm not familiar enough with the laws to know, but I am fully aware there were two hours ahead of us and this is our two hours to speak, and I hope that that can remain protected for us.

LATHROP: OK, let's have your name.

HALLEY TAYLOR: I would love to. Hi, my name is Halley Taylor, spelled H-a-l-l-e-y, Taylor, T-a-y-l-o-r. I was born and raised in Omaha, Nebraska. I've lived in Omaha, Nebraska, since 1986. I have two college-educated parents and grew up in a middle-class, upper-middle-class household. I lived the lifestyle of a country club, of summer camps, of access of extreme privilege that I am forever thankful for. My parents were both raised in poverty and did the best that they could for us, and it is a gift that I understand is unique to my lived experience. I'm black and biracial. I use she and her pronouns, I have a uterus. I am a person who's had two abortions. My first abortion was when I was 30 years old after receiving two bachelor's degrees, after one master's degree. After teaching our children in the state of Nebraska for six years at Omaha South High School. I dedicated my life and have dedicated my life to serve others. But no matter how prepared I was, how educated I am, the diligence in which that I use birth control, I still found myself pregnant and with a partner to make a decision. I made the decision

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

with my partner to abort my child. As a public school teacher, I was bringing home \$1,700 a month. \$900 were removed due to rent, which left me a budget of \$700 per month, with two master's, with two bachelor's working in the great state of Nebraska for a public education system. I cannot stress enough that with all of my privilege and all of my connections and all of my access, an abortion was still the ethical thing for me to choose for myself because \$700 a month is nothing when we consider child care, when we consider education, medical costs, prescriptions, doctor visits. And if you don't know this, I want to share with you that educators are only given 10 sick days per year, 10 sick days. No parenting plans, no extended leave, no assistance. When you go over your 10 days, your pay is reduced. The choices that we make are ours to make. Thank you so much for listening. Thank you for your time.

LATHROP: Thank you. So if there are people who are in line who are in favor of the bill, I'm not sure exactly what this-- I didn't fully understand that. But if-- this is opposition testimony. In a moment, in about a half hour or 25 minutes, we will end this hearing and go to two bills that will be introduced by Senators Slama and Geist. And if you want to testify in favor of a bill, just stick around, we'll have an opportunity for you to be heard as a proponent in that hearing. But please don't jump, jump the line and, and take up time the opponents have been allotted to be heard tonight. And with that, we'll take the next testifier. Good afternoon.

SHERRY DORMAN: Good afternoon, Senator Chairperson Lathrop and members of the Judiciary Committee. Thank you for hosting us today. My name is Sherry Dorman, S-h-e-r-r-y D-o-r-m-a-n, I reside in Wayne, Nebraska. I'm a former educator and I am an adoptive person given up by a mother who couldn't cope, couldn't deal. Nearly 50 years ago, I had a safe and legal abortion. I have laid awake several nights this past week thinking about how I might speak to why we must ensure that generations of women to come have the same right to bodily autonomy and reproductive freedom. It's very sad for me to realize that we haven't made much progress in these past 50 years in understanding why this medical procedure should be a decision made by a woman, her family and her physician, and not by lawmakers. Growing up in rural Nebraska, conversations about sex and sexuality just did not happen. Not at home, not in school, and not even amongst my closest friends. Had I had comprehensive sex education that talks about the normalcy of sexuality, the importance of emotional maturity and understanding of consent and bodily autonomy, as well as access to birth control, perhaps I may have avoided an unplanned pregnancy. If young women were not shamed for pregnancy outside of marriage, perhaps I would have

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

felt it was OK to tell my parents. Had I had information about consent and what to do when a person won't take no for an answer, perhaps I would not have been a victim of date rape. Yes, I made a choice. It may not be a choice that you sitting in this room ready to legislate on would have made, but it was right for me. As a 68-year-old grandmother, I'm here fighting for the same rights for my granddaughters as generations of women did decades ago for me. Perhaps we could-- I'm sorry. Thank you very much. Please vote no on LB933.

LATHROP: OK. Thanks for being here.

SHERRY DORMAN: Thank you.

LATHROP: Next testifier. Good afternoon.

GINNY FALLON: Good afternoon, my name is Ginny Fallon. I know it sounds like I should be on late night TV, but it's spelled G-i-n-n-y F-a-l-l-o-n. I am the mother of four perfect and wonderful children. I loved the experience of being pregnant and the joy that my children have brought to my life. We were thrilled to find out that we were pregnant again and the kids were so excited to have another sibling. At about 20 weeks, we were devastated to learn that our baby had a genetic abnormality that is nearly always fatal before birth, and the survival rate, should the baby be born, is a few days or weeks at most. Joy and happy anticipation were replaced with grief. Every time someone came up to me and congratulated me on my obvious pregnancy, it was a knife in my heart. Knowing that this child would not join our family for more than a few days, if at all, was a daily trauma for my children, my husband and for me. The thought of enduring this pain for weeks or possibly months was too much. Together, my husband and I made the decision to end the pregnancy and close the door on this tragic and painful experience for our family. It is unthinkable that someone outside our family would be in the position to force this unbearable situation to continue. The procedure was never done, as my son died in utero in about a week after that. Mine is just one of so many stories, many of which you have heard today. It is absurd that people that claim to be pro-life are under the impression that women just terminate their pregnancies without due consideration because they find them to be inconvenient. There are so many situations where the child is cherished, but not meant to be. Please vote no on this legislation.

LATHROP: Thanks for being here.

CERITA BURRELL: Good afternoon.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

LATHROP: Good afternoon.

CERITA BURRELL: I'm Cerita Burrell, C-e-r-i-t-a B-u-r-r-e-l-l, director of the Afiya Center in Dallas, Texas. We are black women-led and center reproductive justice organization, and also power SYS fund, which is a practical support-- which provides practical support for those seeking abortion care. In the past six months, we have been working to help pregnant people grapple with the implications of what the near ban on the abortion law truly means, and the interactions with the state on their bodily autonomy. I'm here today in opposition of LB933. On the ground in Texas, people are terrified in general of being or becoming pregnant. Many low-income and BIPOC communities are already facing areas such as homelessness, lack of access to transportation, child care, experience domestic domestic abuse, dealing with food insecurity, and now are denied their right to choose if, when and how to plan their families. Bills like LB933 create systems of harm, forces poverty, and does not protect the-- and does not in any way preserve life. In fact, it takes life spiritually, mentally and physically. I want to tell you about Jane Doe, a 30-year-old black wom-- black mother of two who just accepted an offer of the job of her dreams. She also found out that she was 13 weeks pregnant with twins by her abuser, afraid and confused, thought that her life was over. Jane completely-- was completely overwhelmed and depressed. To cope with the anxiety, the thought of losing her new job because she was unable to relocate, going from a mother of two to four, the idea that she had to stay in abusive situation, the humiliation she experienced by the man she once loved turned abuser was just-- was ousted as a gay man on social media, Jane turned to drugs. At 16 weeks, she reached out to us for doula support. During the intake process, it was discovered that Jane thought she could no longer have an abortion. When presented with her options, and it was discovered she-- Jane could have an abortion, just not in Texas, she made the decision that was best for her and her children. She flew out of state, was able to get the procedure and get some rest, and just in four days was able to start her new job. Through practical support, Jane was able to obtain the resources to get an abortion, leaving her abusive partner and have a fresh start for her and her family. If, if you are truly pro-life and you will focus on protecting the lives of your constituents as they care to live them and oppose LB933, instead pass legislation that secures safe, safe-- the safety of those who need an abortion. Nebraskans deserve full-spectrum, comprehensive health care, not government invasion on their bodies. Thank you.

LATHROP: OK, thank you. Good afternoon.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

HEATH EPPERSON: Good afternoon. My name is Heath, H-e-a-t-h, Epperson, E-p-p-e-r-s-o-n, and I am testifying in opposition to LB933. Specifically, I disagree with the conditions listed in Section 8. You do not need to wait until the United States Supreme Court overrules Roe v. Wade. You do not need to wait--

LATHROP: Wait a minute, wait a minute, wait a minute. This would not be opposition testimony. I'm going to let you finish, but we're going to add five minutes to the opposition and-- really, wait a minute. Wait. I'm not looking for a reaction and we're not going to do that in here. This would be what we would call neutral testimony. If any of you were waiting in line to, to do this kind of presentation, you can wait until neutral testimony and-- I'll let you continue, but we'll go-- we'll add five minutes to the opposition clock.

HEATH EPPERSON: You do not need to wait until an amendment to the Constitution of the United States has been adopted, and you do not need to wait until the United States Congress has enacted a law restoring our granting authority to the state in Nebraska to regulate abortion. Roe v. Wade is not a law. It is a court opinion. It does not dictate what is legal in the state of Nebraska. The state of Nebraska has sovereignty within its borders to determine what is unlawful. As senators, you have an obligation to exercise your authority to provide justice for the unborn. You have the authority to end abortion in the state of Nebraska. It may be known to you, that you would not have this authority, were not given by God. As Jesus said to Pontius Pilate, you would have no authority if it had not given-- been given to you from above. You can enact a law in the state of Nebraska that abolishes abortion and makes it unlawful. You do not need the federal government to restore or grant to the state of Nebraska the authority to regulate abortion. Rather, the state of Nebraska needs to exercise the authority that, under God, it already has to abolish abortion entirely. I ask the members of this committee to amend this bill to call for an immediate end to abortion in the state of Nebraska that is independent of the actions of the federal government.

LATHROP: OK. I'm not going to answer-- I don't answer questions. We're not going to get into an exchange. We are taking opposition testimony and if you, if you are in want to speak in the neutral capacity, then we will take them up after opposition testimony. OK? Welcome.

STEVEN NGUYEN: Thank you so much for having me. Good afternoon, Mr. Chairman and members of the Judiciary Committee. My name is Steven Nguyen, S-t-e-v-e-n N-g-u-y-e-n, and I am a third-year medical student at Creighton University School of Medicine. I am here to speak against

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

LB933. When I graduate next year as a physician, I will become a public servant. I know the term public servant refers to government officials and officers, but I do believe the term applies to medical professionals who work in the state as well. The definition of a servant is an individual who performs duties for others. I emphasize this because my values must never come before my patients' values and goals for themselves. Someday, my patient may disagree with my medical knowledge, my expertise and my plans for their care and leave the hospital against medical advice. This freedom that allows patients to control their health care, also referred to as patient autonomy, is the backbone of our patient-centric medical system. Although we are experts in our field, the power belongs to the patient. I support patient autonomy and this freedom must be protected. Today, I see the system of patient autonomy being eroded by LB933. By denying abortions to patients in Nebraska, we have effectively made their health care decision for them. This is the antithesis of how we practice medicine in our country. We must respect their decisions. We, as physicians and legislatures, must respect this decision because we are public servants. Their values and goals must come before our own values and goals. Physicians do not make choices for patients without their consent. I ask our Legislature not to make choices for our patients without their consent as well. Our patients are asking for safe access to abortions. We must serve them. Thank you so much for your time.

LATHROP: OK, thank you for your testimony. Next testifier. Good evening, good afternoon, I guess.

ANTONI SCHUTZ: Good afternoon.

LATHROP: Approaching evening.

ANTONI SCHUTZ: Right? All right. So, yes, good afternoon, Chairperson Lathrop and members of the committee. My name is Dr. Antoni Schutz, A-n as in Nancy-t as in Tom-o-n and as in Nancy-i, Schutz, S as in Sam-c as in Charlie-h-u-t as in Tom-z as in zebra. All right. So I am a licensed clinical psychologist here in Lincoln and I urge you to oppose LB933. I come to you today to talk about the impact of abortion and lack of access to abortion on mental health. The American Psychological Association affirms a woman's right to reproductive choice. The research has shown that the risk of PTSD or mood disorders, such as depression and anxiety, are not increased by having an abortion. In fact, carrying a baby to term and having a first trimester abortion both carry equal risk to the mental health of the mother. So what happens when women are denied an abortion? They are more likely to initially experience higher levels of anxiety, lower

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

life satisfaction, lower self-esteem compared with women who have received an abortion. Additionally, the children of these unwanted pregnancies that this bill claims to protect are more likely to experience negative long-term outcomes even into adulthood, including increased likelihood of engaging in criminal behavior, being dependent on public assistance and having an unstable marriage. Unwanted pregnancies and interpersonal violence are strongly related. This is because not being able to have an abortion essentially forces the woman to stay in some form of contact with violent partners, putting both the woman and the child at risk. As a psychologist who has worked the majority of my career in Nebraska's overcrowded prison systems, I know firsthand that making something illegal does not mean that people will not do the behavior. You all have the opportunity to ensure that when women choose to get an abortion, they can do so in a way that is safe to the mother's mental and physical health. Again, I urge you to oppose LB933. Thank you.

LATHROP: OK, thank you for your testimony. Do you work in the Department of Corrections?

ANTONI SCHUTZ: I don't anymore.

LATHROP: OK, well, thank you for the time you spent there.

ANTONI SCHUTZ: You're welcome.

LATHROP: We appreciate that.

MICHELLE ANDERSON: Good evening. My name is Michelle Anderson, M-i-c-h-e-l-l-e A-n-d-e-r-s-o-n, and I am the policy associate with the Afiya Center, a black-owned and black-led by black women reproductive justice organization in Dallas, Texas. I'm here today to stand in solidarity and oppose LB933. We believe fully in the right to decide how and when we start our families and the ability to raise those families in safe environments and the full bodily autonomy of all folks. Because we are-- we often look at issues with with a hierarchical lens, we can see that many ways that bills like LB90-- LB933 not only impact our ability to decide the traj-- the trajectory of our lives, but also seem intended to disempower those of us already at the margins. Black and brown folks will find ourselves disproportionately impacted by further restrictions to abortion access. As always, we are all the collateral damage. Bills like LB933 ignore a proven inverse relationship between abortion restrictions and both maternal and child health outcomes and the number of policies intended to support women and children's well-being. Additionally, we

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

know that persistent structural racism plays a significant role in the connection between abortion restrictions and maternal mortality. A culture of misogyny and racism is how we got here to 2022 where we are asking lawmakers to resist the pull to further curtail access, to not infringe upon our bodily autonomy. Furthermore, defenders of women's reproductive rights should know that the Bible says about abortion and by extension, related issues including contraceptive, the morning after pill, intro-- intro-- intovitro fertilization and fetal tissue research. Abortion is not referenced anywhere in the Bible. However, there are ten biblical episodes and prophecies provided in the Bible that God's attitude towards human life with no mention of abortion being murder. Remember the cornerstone of Christianity, no matter what the denomination is: choice. Free will. Abortion is health care and legal. We don't need abortion bans. We don't need legislation that can harm organizations and individuals committed to supporting a woman's right to choose. Nebraska deserves better. Black womenx deserve the chance to create the families of their choice. This is why I respectfully ask the committee to oppose LB933 and all the other bans on restrictions on abortions. Thank you.

LATHROP: Thanks for being here. Good afternoon.

SUSAN KIRCHMANN: Good afternoon. Thank you for having me. My name is Susan Kirchmann, S-u-s-a-n K-i-r-c-h-m-a-n-n, and I am here to speak today in opposition to LB933. I just want to say I was born in 1973, so I have been blessed to live during the era of Roe. I have benefited greatly from those policies. I have been married to my husband for over 26 years, and I will say when I got pregnant with my son in 2009, my husband and I had a long discussion about what would happen if the pregnancy were to go south. And I will say the one thing that made me feel confident about having a child was knowing that if my life were threatened, that my value of my life was recognized by my ability to seek medical care if that pregnancy were to kill me. I would hate to see other women not have the same opportunity. I grew up in District 42. I now live in District 32, so shout out to my state senator and his awesome right to repair bill. But again, that's not why we're here today. We're here for other reasons. But just as important as the right to repair is the right to repair your own body in ways that you and your doctors see fit. If the committee truly thinks that outlawing or banning abortion entirely is an important and necessary thing, I would urge you to at least have an economic study to see what undoing nearly 50 years of this law would do. Thank you very much.

LATHROP: Thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

JARROD RIDGE: We are testifying in opposition. But if you say we're to testify in neutral, when would we do that?

LATHROP: After we get done with the opponent testimony. So if you, if you are in support of the concept but you have a problem with how the bill is structured, that would be neutral testimony, and we'll take that up after the opponents have gone.

JARROD RIDGE: My apologies to you and to you as well.

LATHROP: OK.

JARROD RIDGE: We were given opponent or proponent, so--

LATHROP: That's all right. That's all right. We'll, we'll have an opportunity to hear, hear from you.

SHARON CONLON: Good afternoon.

LATHROP: Good afternoon.

SHARON CONLON: My name is Sharon Conlon, S-h-a-r-o-n C-o-n-l-o-n. Now, one in four women will have the health care procedure of an abortion, according to the Gutten-- Guttmacher Institute has tracked it for the last 50 years. If you haven't had an abortion yourself, you are surrounded by women who have and you just don't know it. I wouldn't say that's true today, but ordinarily, you just don't know it. So my question to you is, have you ever asked your grandmothers if they had an abortion? Your great aunts? Have you ever asked your mother if she's had an abortion? Have you ever asked your aunts? Have you ever asked your sisters? Have you ever asked your daughters, your nieces, your granddaughters? Have you ever asked any of your female step relatives? Have you ever asked any of your female in-laws, your friends, your closest friend? Your colleagues or any acquaintances? Do you know anybody? I would guess with 25 percent of women in the United States will undergo an abortion before the age of 45, I would guess that you don't-- can't name one or more than one woman who has had this procedure. Why? One in four women means somebody in your life. Any number of women have aborted for their own private reasons, and they didn't tell you why, or you never asked why. According to the Gallup 20-- 2022 Gallup survey, 79 percent of people want abortion to remain legal. To those of you who support all three of these anti-abortion access bills, facts don't matter. You intend to impose your righteous religious beliefs on the rest of us, because you only have compassion and empathy for fetuses. And you can continue to be

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

oblivious to all the women in your life who will continue to get abortions, whether you know it or not.

LATHROP: Thank you, Ms. Conlon. Next testifier.

PEGGY OLSON: Hello, Senator Lathrop.

LATHROP: Good afternoon.

PEGGY OLSON: I'm Peggy Olson, P-e-g-g-y O-l-s-o-n. I'm here as a mother who used nearly every option to plan my family and ensure I brought children into the world when I was ready. You weren't consulted. You're not my health care provider, my clergy or my family. You inhabit this legislative body, but you do not inhabit this body, my body. Access to contraception, and yes, abortion, allowed me to not only support my own children, but also become a foster parent and provide young people a place to transition out of incarceration. To support this bill is to say that my children and grandchildren should never have been born, that their lives aren't worthy. Because without access to abortion, they wouldn't be here. I wrote some of this testimony while listening to music created by one of my sons. I know what a gift life is. That's why I took such care, grateful to be a stay-at-home mom. St. Gianna's in Lincoln is named for a woman who refused medical treatment and died after giving birth, leaving her children without their mother. I personally find that morally reprehensible. My core values are providing children care and supporting their lives. It goes against my core values. But if you propose legislation to force her to accept treatment, I would be firm in my opposition. This bill ignores those who refuse to provide lifesaving care and doesn't truly protect those who do. Fabian Bruskwitz broke ground on Saint Gianna's, that's the man who refused to sign the Charter for the Protection of Children, the only dioceses in North America that refused. He refused to comply with church audits, protected pedophiles; the AG report identifies 57 victims during his tenure. This bill protects certain religious ideologies, not health. Will Bruskwitz be on the panel that decides whether a doctor is a criminal or not? You do not inform-- you do not affirm life by forcing childbirth. You affirm life by protecting the living. I came of age before Roe. I can assure you that people with money had abortions. They just called it a shopping trip or travel abroad, can't wait to see Paris. This bill puts us back in time. People with privacy get access to abortion. People with money get privacy and access to abortion. People without money, you put under your thumbs. After Roe, many OBGYNs provided abortions in their office as part of their array of care. That was until members of the so-called Right to Life

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

movement started murdering doctors, murdered doctors in their homes, parking lots, churches and set bombs, lots of bombs. Women deserve agency over their lives, and doctors should practice medicine. Thank you all.

LATHROP: Thank you for being here tonight.

PEGGY OLSON: Thank you.

LATHROP: Next, testifier. So I have a sense of dread, I'll just tell you, because I put a two-hour limit on the opponent-- proponents and opponents, and we're coming up on that time limit. I know. We have another bill, are you going to be here to testify against that one as well?

PANSING BROOKS: We can't hear you.

_____ : I have to get to work early tomorrow.

LATHROP: Go ahead.

MIMI ARABALO: Good afternoon, my name is Mimi Arabalo, M-i-m-i A-r-a-b-a-l-o, and I oppose LB933 because it would take away Nebraskans' safe and legal access to abortion if Roe falls. Conserving abortion access is not only an issue of health care, but an issue of equity because abortion access is interwoven with socioeconomic freedom. I faced this reality when I decided to have an abortion. The guidelines I originally followed for writing this testimony said to stick to less than three minutes of content, which seemed profound to me, as it took me about three minutes to decide to have an abortion. That may seem appallingly short at first, but time is relative, right? And anyone who has taken an at-home pregnancy test knows that the three minutes that you wait for your pregnancy test results feel like the longest three minutes of your life. While I was waiting for my test results, I thought that this was really the last thing I needed. Everything was already hanging in a delicate balance. I was working two jobs to put myself through school, taking extra course hours, and as a first-generation American and college student, there was additional pressure applied by my family to succeed, succeed academically. I knew I didn't want to be a parent in general, but I certainly didn't want to be a parent with the father. I wept a little as I began to feel trapped by the thought of being a single parent. I would have to quit school to support this unplanned, unwanted pregnancy unless, what if, what if I didn't have to be pregnant? What if I didn't have to quit school? What if I had an abortion? As my

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

timer went off and I read my results, they were positive. And for a moment, I felt swollen with grief while I came to terms with my decision. Though I made this decision quickly, I also made it intentionally and thoughtfully. And once I nestled into my decision, that grief quickly sublimated into relief. A recent 2020 Turnaway Study, which followed a thousand women seeking abortion over the course of 10 years across the country, found that those who had been denied access to an abortion have four times greater odds of living below the federal poverty line. I shudder to think about what could have happened to my life path if I hadn't had access to an abortion when I needed one. And instead I sit before you as the first member of my family to hold not just one, but two degrees. Banning abortion won't get rid of abortion. It gets rid of socioeconomic freedom. It gets rid of people being able to decide what is best for themselves. And for a lot of people who are already vulnerable, it gets rid of hope. I thank you for your time and I encourage you to oppose LB933.

LATHROP: Welcome.

JO SCHROER: Good afternoon, Senators. My name is Jo Schroer, J-o S-c-h-r-o-e-r, and I'm here to speak in opposition to LB933. I am a concerned citizen from Lincoln, Nebraska, and have lived here my whole 22 years of life. Recently, I graduated from the University of Nebraska-Lincoln with a B.A. in psychology and women's and gender studies. The knowledge I have accumulated there during my time at UNL has taught me the reasons why abortion access should never be banned. Nearly 50 years ago, in 1973, Roe v. Wade was passed. This amendment made unsafe abortions safe and more accessible to low-income individuals and communities far from health care. Something Nebraska should be familiar, with since 50 out of our 93 counties are rural, a population notorious for lacking health care access. One may think that abortions may stop when they are banned, but that is not the truth. Home remedies and self-harm will be used to terminate a pregnancy in one's own home. The only thing that will cease due to these bans will be safe abortions, which are statistically safer than giving birth. Furthermore, since 2020, Nebraska has lost over 3,000 citizens due to them relocating. These abortion bans will intensify our population loss as Nebraska citizens will choose to move to pro-choice states and prevent others from choosing Nebraska as their home. This means Nebraska will lose talent, therefore affecting our workforce. Lastly, our nation was created due to people declaring their independence from others and creating their own autonomy. So why should that be any different today? Each of us have the right to make our own decisions about our bodies since we know what is best for us and our families. The right to make decisions about our own bodies

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

will allow individuals and families to thrive instead of suffer due to forced pregnancies and births. Abortion barriers severely impact an individual's quality of life. If the pregnant person's quality of life is already impacted before birth, then it is nearly guaranteed that the fetus's quality of life will be negatively affected as well. This concludes all my points today. Thank you for your time, and I urge you to oppose LB933 and keep it off the floor of the Legislature. Thank you.

LATHROP: Thank you.

ANDREA BUTLER: Hello, my name is Andrea Butler, A-n-d-r-e-a B-u-t-l-e-r, and I am testifying in opposition to LB933. I am terrified of what these bills would mean for my and all other Nebraska women's futures. I am a mother to three wonderful daughters, each of them very wanted. But I had to go through eight different pregnancies with two successful births to have my three daughters. While these bills may not have impacted my past experiences, I feel compelled to share my values in this deeply personal matter. I feel using my voice is the only tool I have in helping to prevent this devastating future from becoming a reality in our state. I was born and raised in Nebraska, and I hope to not feel forced out of my home due to the threat these bills pose to all Nebraska women, including me and my daughters. For how much I agonized over each of my six miscarriages, I could not imagine lawmakers or the government having a part in this terrible process because it would have made an already unbearable situation even worse. For all of the worry, stress and anxiety, wondering if it was something I did wrong, if I wasn't already a mess, what if I would not have been able to receive the appropriate and required medical care I needed? Unforeseen issues arose in each of my wanted pregnancies that were completely out of my control, and the only person who should have been involved in resolving those issues was my health care provider. Abortion is a fundamental right which is essential to women's autonomy, dignity and equality. Abortion is health care. Abortion is and should remain a personal decision between a woman and her doctor. The government should not legislate abortion for these reasons. The sim-- the plain and simple fact is these bills would take away Nebraska's rights and freedoms. Abortion bans do more harm than good, and because of that, these bills should not be passed. Thank you for your time, and I urge you to oppose LB933.

LATHROP: OK, thank you very much. I have to stop. I-- it is my sincerest apologies. I know. Here's what we're going to do. If you want to attach-- two, two options for you. If you want to attach your testimony to the yellow sheet and give it to the page, we will make it

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

part of the record. OK? Or you can wait until the next bill when we take up opposition testimony. My problem is, I got in the overflow room that you came from, that room is full with people that want to be heard on the next two bills, and I have to take neutral testimony. So my most sincere apology. We-- those of us that are still up here, still have four more hours to go, and I think you can understand why we necessarily have to have a limit. It's not that we don't want to hear what you have to say. I would encourage you to attach your testimony to the yellow sheet, and I'm just sorry. It-- you don't know how much it pains me to not hear everything everybody has to say. You may come forward.

SOPHIA JAWED-WESSEL: Hello.

LATHROP: Good afternoon.

SOPHIA JAWED-WESSEL: Good afternoon. I am Dr. Sophia Jawed-Wessel, J-a-w-e-d-W-e-s-s-e-l, I'm an associate professor of public health. I'm originally from Indiana and received my Ph.D. from Indiana University and moved here about just shy of 10 years ago to raise a family and take a job at UNO. But I'm not here representing UNO at this time. I'm a research scientist and I realize that I like quality data more than the average person. But I also know that decisions that are made with sound data are ones we can take back to community and feel good about. Should Roe be overturned, I think it is in our best interest, our entire state's best interest to stop and look around and take the time to collect information on the impact of this Supreme Court decision, instead of rushing to follow what is happening nationally. I'm asking you to make sure Nebraska is exercising its power as a state to do what is best for Nebraska. I'm asking you to take time to collect evidence about how Nebraska might be impacted should be we ban abortion. I'm asking you to take the time to be informed and feel confident about your decision, regardless of what that decision is. And I think it's also important for us to note that this decision won't be those-- that data won't be available for quite some time. So no matter what your beliefs are about abortion, please consider me a resource to you as you analyze this data. And regardless of what happens with this policy, know that I'm committed to providing unbiased analysis of research that is available. That is all.

LATHROP: OK. Thank you for your testimony, and thanks for being here. Next person to speak in a neutral capacity.

DAVID HANSEN: Good afternoon, Senators. My name is David Hansen, D-a-v-i-d H-a-n-s-e-n, I'm a Christian and an abolitionist. And I'm

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

here to-- well, I believe the aim behind this bill was well-meaning, but I think the bill itself is unjust. And I am here to encourage opposition to it, specifically on Sections 4 (4), 5 and 8 being in the bill. Otherwise, I would be for the bill. The grounds specific to LB933 are, one, it waits for changes in law to give authority to the state of Nebraska, when the state already possesses the authority, to say nothing of its duty, to do justice in its jurisdiction. The state has this authority from God and from the Constitution. Two, by waiting, the bill relinquishes the state's rightful authority. Three, it delays obedience to God until another governmental body will be obedient. The following grounds then are applicable to all three bills being heard today. One, it does not establish equal justice under the law for all human beings who are made in the image of God. We need to hear the word of the Lord. Quote, woe to those who deprive the innocent of his right, end quote. Two, it promotes unconditional submission to the Supreme Court, which is idolatry. The court in Roe has said that evil must be allowed to run rampant in our land, contrary to God's commands to magistrates to restrain it. I appeal to you, obey God rather than man. Three, it perpetuates disobedience against God, for God has said, you shall not murder. Four, it delays abolition of abortion while inviting the judgment of God. The Lord says that he hates the hands that shed innocent blood. Five, it treats abortion like health care, which can be regulated, rather than murder, which must be abolished. Six, it does not defy Roe. Seven, it violates the 14th Amendment. Eight, it teaches that some order is acceptable to the extent that the court says that it is. Nine, it considers criminals to be innocent victims. Hear the word of the Lord. Quote, acquitting the guilty and condemning the innocent both are detestable to the Lord, end quote. The site notavictim.org is very helpful in this respect. Ten, it puts the Supreme Court above the Constitution. For these reasons, I appeal to you to replace this bill with a bill to abolish abortion and provide equal protection for all human beings. Thank you for your time.

LATHROP: Thank you for your testimony. Good evening. Next neutral testifier. Good evening.

JARROD RIDGE: Good evening, and I do apologize for the confusion there. My name is Jarrod Ridge, J-a-r-r-o-d R-i-d-g-e, and I am representing End Abortion Now in Nebraska. And in principle, I love the concept of the bill. In principle, it starts off just like it should, from conception to birth. So thank you very much for considering this bill and looking at it and defining it for what exactly it is. That it is a baby from conception to birth. And with that, as David mentioned, I don't have a whole lot of other comments

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

on the pieces of the bill, but I would like to just encourage you, each one of you who've been elected, you've been elected by the people in your districts. God says in Romans 13 that you are ministers for justice, that you have been put in your position for exactly that, to administer justice. And it's an interesting word that he uses the word minister, it's just like you would be looking over and taking care of those under you. But it's really just to enforce justice in this case. You're to legislate justice. And I just wanted to read some passages here, Proverbs 31 says, and this is the, the mother speaking to Lemuel, who is a magistrate. Open your mouth for the speechless and the cause of all who are appointed to die. Open your mouth, judge righteously and plead the cause of the poor and the needy. Psalm 82 says, how long will you judge unjustly and show partiality to the wicked? Give justice to the weak and the fatherless, maintain the right of the afflicted and the destitute. Rescue the weak and the needy, deliver them from the hand of the wicked. And this one is where I think this bill falls. Woe to those who decree unrighteous decrees, who write misfortune, which they have prescribed to rob the needy of justice and to take away that which is purported by people, that widows may be their prey and that they may rob the fatherless. We should not be passing unjust laws. So seek to do justice. Anywhere that this allows for the mother to not be prosecuted for intentionally killing her child, that would be an injustice. So I would seek that you would remove that exception and a few others. So thank you very much.

LATHROP: OK. Appreciate you being here today. Anyone else here to speak in a neutral capacity? Seeing none, Senator Albrecht, you make close. As you approach, the record will reflect that we have position letters-- pardon me, position letters from 277 proponents and 98 opponents and no one in the neutral capacity.

ALBRECHT: Well, that was a long time. I'll try to be brief so that you can all get to the next bill. I did just pass out a commentary about the Turnaway Study. I'd like for you all to take a quick look at that, that will help a little bit of the testimony. But again, I'm happy that there were so many people able to express both support for the Human Life Protection Act and also in opposition. Definitely hear the hearts of many. I think there's stories that are out there that we can all tell, and I took everyone to heart. Listened to just about every single one of them. We're here for the voiceless. We truly are. That's what this Human Life Protection Act is, is all about. You heard from Ryan Bomberger about his mother, who was subject to the horror and violence of rape but still chose not to follow violence with violence. This was especially a heroic act to me and her culture to know that

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

expectant mothers that abort their child, they have different circumstances. And those who choose to, to, to have that child and then put it up for adoption, that was, that was a story that I think everyone can hear. Might not be right for everyone, but certainly human life is, is important, and that's why we're here, to get back to how everyone feels. You know, we have to bring it back to the 200,000 lives that we know of in Nebraska alone since 1973, have been aborted. And we-- there are a lot of people that talked about fetal anomalies. That was my very first pro-life bill. Some of you weren't here at the time, but that particular bill hit my heart hard because I had a daughter who had a child, her very first one. And we have choices out there now, but the choice when a child is in the womb and they know at 18 weeks that that baby could be saved, but it's safer in the mother's womb until it gets here. Not all of them are fetal anomalies. Greeley [PHONETIC] was a lucky one. But, but I feel that the stories that are out there, if you have a doctor that you're going to and he's able to help you through what you're-- what's happening with you, you know, some of those babies, a lot of them can be saved. And if they aren't, sometimes it's out of our control and somebody else is in control. But I'm here to tell you, we are the voice for the voiceless on this bill. And not any child should be taken. It is a child. It is human life, and isn't for any one of us to take the life of a human being. And it's in the bill very, very explicit that, that a doctor can make reasonable accommodations to a mother who could possibly lose her own life. But I'm just going to ask for your support to get LB933 out of committee. If you have other questions, I'm happy to answer them. If you want to ask me off mike or are on the mike, I'm happy to do so either way.

LATHROP: OK.

ALBRECHT: So appreciate your time.

LATHROP: Any questions for Senator Albrecht? I don't see any. Thanks for bringing LB933. I think we had a full hearing today.

ALBRECHT: You did very well. Thank you for your patience.

LATHROP: Thank you for-- to everyone that testified and came down here tonight. Before you start moving around, just one second. For those of you who are in the overflow room and want to testify as proponents on the next two bills that are be-- that will be introduced, you may come to the hearing room at this time. And if you're not a proponent, we'll ask you to be excused so that we can make room for those who wish to

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

be heard on the next two bills. Why don't we take-- we're going to need a couple of minutes before they get here, so.

_____ : They're ready.

LATHROP: Oh, are they? OK.

[BREAK]

SLAMA: Chairman Lathrop and--

LATHROP: Pardon me. Just one second.

SLAMA: Yes, sir.

LATHROP: Yeah, it's fine that they come in and sit down. OK. Pardon me, Senator.

SLAMA: No worries.

LATHROP: You may open on LB781.

SLAMA: Fantastic. Well, good evening, all. My name is Julie Slama, J-u-l-i-e S-l-a-m-a, and I represent District 1 in southeast Nebraska. I'm here today to introduce LB781 to adopt the Heartbeat Act in Nebraska. This bill would protect the most innocent among us. Babies have hearts, and those hearts beat. Standard embryology textbooks state that most of the baby's organs form within the first four weeks after fertilization. The heart and major blood vessels are formed by day 20, and the first red blood cells appear by the next day. By six weeks gestation, an ultrasound can pick up a baby's heartbeat. A page will pass around a packet with photos and diagrams of a baby's heart. On the left side of the first page, there's an actual photo of a baby's heart at six weeks gestation or 33 days after conception. On the right, there is a photo of an adult's heart. It does not take an embryologist to see what we all know to be true: that the baby's heart at 33 days is every bit the heart of a human person. We often hear of the emotion parents feel when they get to hear their baby's heartbeat for the first time. When we hear this, this sound, we know that we are listening to the rhythm of life coming from a tiny human being in his or her earliest moments. Abortion stops that beating heart. LB781 would simply protect babies from the violence of abortion. This bill would require that an ultrasound be performed before an abortion is attempted to determine whether a fetal heartbeat is detectable. If a heartbeat is detected, LB781 would make it illegal to perform an abortion, with the exception of protecting the life of the mother.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

Whether or not we protect unborn children with a beating heart tests whether or not we have a heart. Nebraska is a pro-life state and Nebraskans are overwhelmingly in support of this legislation. Passing LB781 is an absolute necessity to protect the most innocent among us, and I am proud to carry this bill. Thank you, and I'd be happy to answer any questions you may have.

LATHROP: I don't see any questions, but thank you for your introduction, Senator Slama. We will next have Senator Geist introduce LB1086.

GEIST: Oh, good evening. I will be quick. Thank you, Chairman Lathrop have been good after--

LATHROP: Good afternoon-- or evening.

GEIST: I have "good afternoon", but it's really evening.

LATHROP: I know, it's practically night.

GEIST: I know. It feels like night. My name is Suzanne Geist, that's S-u-z-a-n-n-e G-e-i-s-t, I represent the 25th District, which consists of the southeast corner of Lincoln and Lancaster County. I have introduced LB1086 to establish a standard of care for the use of chemical abortions. Chemical abortions make up over 70 percent of abortions in the state of Nebraska, and currently there is no prescribed standard of care. Specifically, LB1086 requires a physician to see a woman to establish how far along she is in her pregnancy, to check if the woman has a dangerous ectopic pregnancy and to check if she is RH negative. And if so, offer RhoGAM to prevent future miscarriages or fertility issues. This bill will limit the use of chemical agents to use during the first seven weeks of pregnancy as risk of complications increase substantially each week thereafter. And I'm going to add that that's also was, was the original date or timeframe that the FDA set when they approved the drug in the first place. And by the second trimester of use, the complications go up dramatically. LB1086 would also prohibit distributing these drugs through the mail. In addition, it sets up a much-needed reporting requirement. Currently, there is no-- little to no reporting of chemical abortions and complications in our state, and therefore no accountability or follow-up with women who have complications. Since this accounts for such a large majority of abortions in our state, advocating for safety measures seems to be a commonsense solution and in the best interest of women. Thank you for your time and attention,

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

and I'm happy to answer any questions, though I don't suspect you have any. But I'm happy to answer them, if you do.

LATHROP: Crazy. It's weird.

GEIST: I know, who'd have "thunk" it?

LATHROP: I don't see any questions.

GEIST: OK.

LATHROP: But thank you, Senator Geist, for your opening. We will take proponent testimony. If you're here in favor of one or both of the bills, you may come forward and be heard. Good evening.

MICHAEL WEINHART: Thank you all for coming and hearing us join up here. My name is Michael Weinhart, M-i-c-h-a-e-l W-e-i-n-h-a-r-t, and I'm here on behalf of Nebraskans Embracing Life. I want to speak on the-- in support of the two issues that we are presenting here. So back to basics. Changing hearts begins with our own. Setting law to end abortion is a start, but what needs to be addressed is the brokenness in this world. I see the devaluing of people over race, gender, religion, politics, differences, you name it. If people are convinced that personal welfare, convenience, agenda, comfort or stability is more important than another life, then the issue of ending life at any stage, whether it's euthanasia, abortion, contraception won't change. The only difference in those life-ending terms is a timeline. The end result is the same. How can we change hearts? Be the example and do what we can. Love here-- love life here on Earth. If I was equipped with resources and capacity to take care and raise every unwanted baby, I'd adopt them in a heartbeat. What about women's health? I care about women, not just the life in their womb. There are numerous organizations, ones that are offering here in this hearing who would take care of you. How about my personal life? I admit I've made mistakes that have hurt women in my past, which I regret tremendously. I choose not to tamper with their emotions, to not engage in activity that's intended for raising a family. I refuse to participate in that which leads to unplanned pregnancy. I encourage everyone to not just vote for LB781, but to make effort to rebuild the integrity and value of each and every human. Thank you.

LATHROP: Thank you. Thank you for your testimony.

RICHARD WURTZ: My name is--

LATHROP: Good afternoon.

RICHARD WURTZ: My name is Richard Wurtz, R-i-c-h-a-r-d W-u-r-t-z. I am a medical doctor. I am testifying in favor of LB1086. I'm also in favor of LB933 and LB781, for the record. I'm a family physician. I've delivered hundreds and hundreds of babies, I've taken care of hundreds and hundreds of pregnant women over the last 20-plus years. I've never had to resort to abortion, referring for abortion or needed abortion. Abortion is reprehensible. There is no sound medical, scientific or ethical justification for it. But one can vote to regulate more tightly something which is, which someone finds morally reprehensible to reduce unnecessary casualties. My testimony for this bill in no way justifies the abhorrent act of abortion. While there are two types of abortion, namely medical and surgical, medical referring to medication taken and surgical referring to the type of instrumentation performed to procure the death of the unborn child, for the purpose of this bill, I am only speaking to medical abortion. Though I am not in favor of any abortion, neither am I in favor of wanton neglect of pregnant women who are already victims of abortion in general and are further victimized in particular by unnecessary complications when medical abortions are done without proper patient evaluations, indications, procedures, follow-up or reporting of complications. In other words, apply the standard of care to these women regarding proper medical care. Patient evaluations should be done in person with ultrasound documentation of gestational age and location of the pregnancy, physical exam, laboratory evaluation as with any pregnant woman, assessing her blood type, RH factor, need for RhoGAM, baseline hemoglobin at a minimum. Indications and procedures refer to, number one, how old is the unborn child? Number two, is she an appropriate candidate? Number three, does the patient have instructions for follow-up care with emergency accessibility, physician phone numbers and call coverage as they do-- my, my patients do? Is there documentation of the discussion of risks and benefits and alternatives and informed consent obtained? The reporting of complications is self-explanatory. It should be mandatory, given the serious medical complications that can occur with such treatment, the nonpublic nature of such a procedure that is not in a medical facility and the serious, controversial nature of abortion, which could promote the lack of reporting. Medical abortions carry a fourfold increase in complications over surgical abortion. Most notably among these are hemorrhage and infection. In the Nebraska 2020 Statistical Report of Abortions through the Department of Health and Human Services, only one complication out of 2,800 abortions was reported. This is not consistent with current reports of medical abortion complication rates of three to 20 percent. The FDA estimated 3.7 million medical abortions occurred between 2000 and 2018, and a mere two percent

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

estimate would yield 74,000 complications. Yet less than 3,700 were reported. Arguably, this is not an appropriate procedure to do at home, but is absolutely not appropriate without the abovementioned safeguards. Thank you very much, committee. Do you have any questions?

LATHROP: OK. I don't see any questions, doctor, but thanks for being here. Next testifier. Good evening.

ARTHUR GRINSTEAD: My name is Arthur Grinstead, A-r-t-h-u-r G-r-i-n-s-t-e-a-d. I am a husband and father of four, a United States Marine and a board-certified family medicine physician who practices obstetrics here speaking in support of LB781. My embryology textbook in medical school, and standard embryology textbooks, lay this out, that the heart begins to beat on the twenty-first or twenty-second day of life. Also in the same book, human development begins at fertilization, and this marks the beginning of each of us as a unique individual. I like to highlight this because we are all unique individuals of different ages, and this is merely us at a different age. We were all once this age. And for me as a physician, the biggest problem that I have with abortion is what it does to my profession. The Hippocratic Oath told-- tells us to first do no harm, and abortion clearly does harm to a human life that is growing and developing. We cannot-- any medical professionals that participate in the practice of abortion cannot say the coined terms of these are just products of conception or things like that because they are actually in the know of, no, this isn't just that. This is a human life that is being killed, and it destroys the integrity of our noble profession. And I highly oppose it. So people often talk about how we only care about the baby and we don't care about mom. That's not true at all, especially as a physician who takes care of pregnant women and children. That moms after an abortion have an increased risk of breast cancer, increased complications in future pregnancies. Increased rates of suicide, of ectopic pregnancy, of which ectopic pregnancy is up 500 percent since the implementation of Roe v. Wade. Also an increased risk of cervical cancer. And another study found that pregnancy-related death is 2.95 times higher in an abortion pregnancy versus a pregnancy carried to term. So the long and the short of this is embryology lays this out clearly for all of us to see, that this is a precious human life that is alive and deserves the same protection that you and I have. And for the mother, women deserve better than abortion. It's not health care, and it is not something that will be beneficial for the mother. Thank you.

LATHROP: OK. Thank you, doctor. I don't see any questions, but thanks for being here. Next testifier.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

JOHN QUINN: Thank you, Chairman Lathrop, and thank you to all the members of the committee for your endurance. It is good to still be here with you and to testify a second time today. So I rise again on behalf of the DFLA Education Fund in support of both the Heartbeat Act and the Chemical Abortion Protocol [SIC] Safety Act. First, I'd like to offer a few reflections.

LATHROP: Let's have you give your name again.

JOHN QUINN: Yes, thank you. Thank you. John Quinn, J-o-h-n Q-u-i-n-n. Myself and other proponents of some of the legislation that has been before you here today, even though we weren't-- because of capacity reasons, we couldn't be in the room, I want you to know that we were still listening to the concerns of those who oppose this legislation. We take those concerns seriously and we are heartened by the democratic process playing itself out. Sometimes it can look and feel messy, like an eight-hour filibuster on a tax bill. But that doesn't mean that you don't pass the tax bill, right? We're working through this and we're working together to find hopeful, constructive, positive solutions to real challenges that Nebraskans face, and we're looking to find solutions that are nonviolent. That's why this legislation is so important. So I want to highlight with the Heartbeat Act that in ways similar to the Nebraska Human Life Protection Act, it again protects the dignity of preborn children and opens better, more dignified horizons for their mothers. Again, not women, but only abortionists are liable for violating this act. And again, allowance is provided for medical emergencies. Turning to the Chemical Abortion Protocol [SIC] Safety Act, women are again shielded from liability. Both the regulations in the act and the reporting requirements protect women from injury. I anticipate that some detractors of this legislation will say that the reporting requirements pose an obstacle to accessing abortion. I would respond that if the abortions performed in Nebraska are already carried out with the utmost regard for women's safety, something that we've heard already today, then these reports will hardly pose a challenge. Furthermore, these regulations on chemical abortion are crucial to prevent modern day back-alley abortion experiences. And again, we've heard today that this is a paramount goal of the pro-choice movement. Leaving women to administer powerful drugs alone in their bathroom is no way to safeguard their health. Neither of these pieces of legislation exhaust the ways in which Nebraska's government and society should support mothers and family. But I ask the committee to favorably recommend these bills to the full Legislature and use them as a foundation to further the culture of life. Thank you very much.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

LATHROP: Thank you, Mr. Quinn. Next proponent. Good afternoon-- or evening, I guess.

JAYLEM DUROUSSEAU: Thank you, Mr. Chair. Once again, my name is Jaylem Duroousseau, J-a-y-l-e-m D-u-r-o-u-s-s-e-a-u, and I'm still here on behalf of Students for Life Action. LB781 is a bill that gets to the heart of the proper role of government. It's to be a protector of the rights of the people, specifically ensuring that the right to life is protected when one of the most demonstrable proofs of life is present. During my own time in the military, we were trained that in a life-or-death situation, the sign of a heartbeat from a fellow soldier meant that treatment would be necessary so that their life could be saved. Despite this, a heartbeat here in the state of Nebraska is not a form of protection for a preborn child in the womb. Additionally, in a recent poll from the Demetree Institute for Pro-Life Advancement found 52 percent of millennials and Gen Z support bans on abortion after the heartbeat is detected, as well as two-thirds of these very same voters support requirements for a doctor performing an abortion to test for a heartbeat. The simple fact is that Americans, especially young Americans, believe that all life should be protected. And LB781 stands as a true safeguard for women and for preborn children. Outside of the heartbeat, we know that an abortion harms women greatly. In a report from the Elliott Institute, the numbers we find for the reality of abortion are very telling. Sixty-four percent of women feel pressured or forced into an abortion, yet 67 percent never feel properly counseled. Seventy-nine percent of women feel they weren't told of available resources, and 84 percent of women feel they weren't properly informed about the abortion they had. The same study found that a woman is four times more likely to die after an abortion, along with a suicide rate six times higher after [RECORDER MALFUNCTION]-- and left 65 percent more likely to suffer from trauma symptoms. Additionally, the study found 65 percent of post-aborted women suffered from PTSD, 65 percent were at a higher risk for clinical depression and have a 3.5 higher risk of death from all causes, and then 10 percent of the women would face immediate complications, including death after the abortion. The simple fact is that abortion harms women greatly and will result in the death of a human being. Especially as the FDA and our federal government seek to pander to the abortion lobby and line the pockets of corporate abortion, it becomes the role of this state and her dedicated public servants to ensure women and children have the greatest possible protections the law can provide. LB781 ensures that women receive the protection they really need. It helps keep those who perform abortion accountable. It ensures when one of the most recognizable signs of life is present, a woman

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

and her preborn child will both be entitled to what they actually deserve; medical care that seeks to heal and preserve, not destroy nor kill. LB781 is good for the child in the womb, it's good for women, and it's good for our state. I humbly ask that you protect the citizens of our great state and support LB781.

LATHROP: Thank you. I see no questions. Next testifier.

KAREN BOWLING: Good evening, Chair Lathrop and members of the Judiciary Committee. My name is Karen Bowling, K-a-r-e-n B-o-w-l-i-n-g. I serve as the executive director of Nebraska Family Alliance. We represent a diverse statewide network of thousands of individuals, families, and faith leaders. In Nebraska, there is an urgent need for a clear standard of care to protect the health and safety of women undergoing a chemical abortion. Since 2009, chemical abortion has increased from 10 percent to more than 70 percent in 2020, according to the Nebraska Statistical Report of Abortions. A survey of abortion-providing members of the Society of Family Planning found that one-third of patients have experienced complications because of self-managed abortion and only how-- half felt that it was safe. In chemical abortion, women are given two pills. The first is taken at the abortion facility. Women are sent home with the second pill and told to take within 24 to 72 hours later. The woman is no longer under the care of a direct-- is under the direct care of a physician. The second pill causes contractions and labor and the woman passes the contents of her uterus in her bathroom. She then must take care of the disposal herself. In 2020, United States published by Contraception, a pro-choice medical journal, highlighted at nine to ten weeks gestation, 7.7 percent failure rate requiring surgical intervention. At 10 to 11 weeks gestation, there is a 13.3 percent failure rate. That would mean 224 Nebraska women suffered a complication in just one year. Despite the evidence of these studies, zero complications are reported in Nebraska. LB1086 would correct that error and allow accurate reporting. Women deserve better. Finally, LB781 affirms that every life has intrinsic value regardless of size. At six weeks gestation, the embryo now has an optic ventricle, which will later form the eyes. Other distinguishing features, such as the nose, ears, and jaw are beginning to take shape. Limb buds that will become the arms and legs are sprouting. The digestive, reproductive, and urinary systems are developing. Major organs are taking shape, including the kidney, liver, and young-- lungs and that brand new heart is already beating an impressive 80 to 100 beats per minute. We wholeheartedly support, support both of these bills and ask the judiciary to advance them out of committee. Thank you for your time.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

LATHROP: OK. Thank you.

KAREN BOWLING: I'll take questions. I'm sure you're ready to go. It's evening.

LATHROP: Well, I don't see any questions in any case, but--

KAREN BOWLING: Yeah.

LATHROP: --thanks for being here.

KAREN BOWLING: Thank you, Senator.

LATHROP: Good evening.

MARION MINER: Good evening, excuse me.

LATHROP: Welcome.

MARION MINER: Thank you. Good evening, Chairman Lathrop and members of the Judiciary Committee. My name is Marion Miner, M-i-- M-a-r-i-o-n M-i-n-e-r. I'm here on behalf of the Nebraska Catholic Conference, which advocates for the public policy interests of the Catholic Church and advances the gospel of life through engaging, educating, and empowering public officials, Catholic laity, and the general public. The conference supports both LB781 and LB1086 for the same reason we support LB933, because the human person has the right to life from the first moment of his or her conception. A heartbeat is simply one of the signs of life, an unmistakable sign that a living human being is present. LB1086, for its part, is the Chemical Abortion Safety Protocol Act. Abortion reporting in the United States is still unstandardized, unlike in many countries, and of notoriously poor quality. But more rigorous domestic and international studies done over many years and even the self-reporting of abortion practitioners themselves illustrate how dangerous chemical abortion can be for women and why the lack of regulation around that practice must be remedied. Women are studied-- are suffering from complications after chemical abortions in Nebraska and those complications are going unreported. Despite complications rates from chemical abortion ranging anywhere from 5 to 20 percent in nearly every study done on this issue in the last 20 years, Nebraska abortionists report zero complications almost every year in their annual reports. The math in this case does not add up and similar stories are coming in from other parts of the world as well. In 2020, the UK lifted longstanding requirements that abortion drugs be administered in person due to the pandemic. A Freedom of Information request revealed that although abortion providers reported

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

only one complication from chemical abortion from April to June of 2020, hospitals received 36 emergency calls per month for at-home chemical abortion complications during that same timeframe. Emergency rooms are receiving these women without knowledge of why they are there and there is currently no requirement in place to ensure follow-up so that incomplete abortions and infections do not turn into serious health issues for these women. So the conference supports both LB781 and LB1086 for the sake of unborn children and for the sake of their mothers and asks you-- asks that you advance them to General File. Thank you.

LATHROP: OK. I don't see any questions for you tonight. Thank you, Mr. Miner.

MARION MINER: Thank you.

LATHROP: Next proponent.

SANDY DANEK: Good evening.

LATHROP: Good evening.

SANDY DANEK: Thank you for staying with us on this. My name is Sandy Danek, S-a-n-d-y D-a-n-e-k, and I'm executive director for Nebraska Right to Life and I come before you in-- excuse me, I come before you in support of LB781, the Heartbeat Act. We are grateful to Senator Slama for introducing the Heartbeat Act. If enacted, it will save about 85 percent of Nebraska babies who would otherwise be aborted. Science prove-- proves that life begins at conception and the embryonic heartbeat reveals there is a beating heart in all of us by six weeks gestation. The science is an undeniable truth. Those of us who have experienced motherhood can recall the emotional response that comes from hearing our baby's heartbeat. It's because we know there is a life present, a life that has intrinsic value worthy of protection. We see the flutter on the ultrasound, we hear the rhythmic beat, and we feel that connection immediately because we know this is life. In turn, for those who anticipate the joy of new life, only to hear I'm sorry, but we can no longer detect a heartbeat tells us that life has ended. It all centers around the heartbeat, the definition of life. Isn't it our responsibility to protect these babies? We also appreciate Senator Geist's commitment to women health by bringing greater protections by introducing LB1086. A chemical abortion, like surgical abortion, involves the deliberate destruction of a unique, precious, individual human life. Women undergoing this procedure often encounter the body of their unborn children and have talked about

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

seeing their limbs, their eyes, their tiny bodies. They are then left with this image that can be an unexpected trauma. Studies reveal the abortion pill is four times more dangerous than a first-trimester surgical abortion and yet the FDA no longer requires the manufacturer of the abortion pill to report complications unless it results in death. This means the true number of complications is kept from the women, leaving them blind to the risks they take when choosing this method. LB1086 is necessary to protect a woman by requiring follow-up visits, providing accurate reporting of any complications, screening for risk factors, and maintaining the standard of prescribing these drugs before seven weeks gestation. Thank you so much.

LATHROP: Thank you. I don't see any questions. Next proponent.

JEANNE GREISEN: Good evening.

LATHROP: Good evening.

JEANNE GREISEN: So I gave her sheets to save you guys time to B-- LB933 and these two bills, is that OK if I speak on--

LATHROP: That's OK.

JEANNE GREISEN: --all of them--

LATHROP: We will let you.

JEANNE GREISEN: --in three min-- I'm sure you will.

LATHROP: In three minutes.

JEANNE GREISEN: In three minutes.

LATHROP: The light will turn green--

JEANNE GREISEN: OK. My name is--

LATHROP: --at once--

JEANNE GREISEN: --Jeanne Greisen, J-e-a-n-n-e G-r-e-i-s-e-n. So, yeah, so for all three bills, I urge you to support LB933, LB781, and LB1086. This is very blunt, but abortion is murder. Abortion-- we need to call it what it is and getting to the root cause of the problem. Abortion is really the gatekeeper to the filthy industry of selling and obtaining baby body parts, fetuses, cells in the name of research, science, and medicine if we can really even call it medicine or any of those things any more. Proof of this is in the fact that the Thomas

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

More Society filed a claim against the University of Minnesota not too long ago for procuring body parts from deceased, aborted fetuses in ways that violated the law. The U.S. government has been buying and trafficking fresh, aborted baby parts. They're purchased by the FDA to humanize mice and test biological drugs in scientific experiments. They came from babies up to 24 weeks old gestation, just weeks before being born. University of Pittsburgh just came under a whole lot of scrutiny too, under investigation for potentially misuse of aborted fetal tissue. Then drawing back to an article back in December of 1999, which maybe you're all familiar with that, when the-- it was reported that University of Nebraska was using aborted fetal brain tissue for studies in Alzheimer's. They were-- the tissue was supposedly provided free of charge. The argument at the time was that it was OK to use these tissues for research. I urge you to read the Nebraska-- the Daily Nebraskan, February 8, 2000, to hear the spin and the quote justification of abortion for medicine and research. I-- the links are on your form. So it brings a question. Are we trying to justify this disgusting practice of making aborted human baby tissue a commodity? Because that's really what it's become. And if this is truly where we are as humans, then we deserve the wrath of God to come down because we have deserved it, all for the sake of medicine and research. I've barely touched on the surfaces of these atrocities, what's going on with all this aborted fetal tissue. You just need to do some looking and you can find it, but until we are able to get to the root cause and stop killing babies and saying that it's for the health of the woman or whatever and actually call it what it is, it's a commodity. It's a sick commodity. We need to stop killing. That's all I have.

LATHROP: OK. Thanks for being here, Doctor.

JEANNE GREISEN: Thank you.

WARD GREISEN: Good evening. My name is Ward Greisen, W-a-r-d G-r-e-i-s-e-n. I'm here in support of all three of the, the bills here today, the LB933, LB781, and LB1086. Human life. The idea that no one should take another's life is as old as life itself. History has judged both positively and negatively whether someone, some group or some country either supported human life or extinguished it. Our country's founding principles were based on the idea that life is important and everyone should have the right and opportunity to do life, liberty, and the pursuit of happiness. Protecting those who cannot protect themselves has been a proven goal for our country. Today, like other times in our history, we have a chance to stand for life. Needless killing of unborn babies must stop. Our state has a

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

chance to stand up and say no more. Some will say an unborn baby does not have life or it cannot feel pain. However, we know that's not true. We've heard all-- heard countless stories of premature babies not only surviving, but going on to live healthy lives. We've heard the horrifying stories of aborted babies still showing life, such as breathing, heartbeat, umbilical cord pulsations, and definite-- defiant movement of voluntary muscles. I believe all abortion should come-- become a thing of the past with the exceptions that are outlined in LB933. If the Supreme Court fails to overturn Roe v. Wade, I believe LB781 heartbeat requirement is a much more prudent approach defining when life begins than our current standard. I'm also opposed to the chemical abortions as well, as outlined in the LB1086. So thank you for listening to me today and I urge you to support all three of those-- these bills.

LATHROP: OK, thanks for being here.

WARD GREISEN: Thank you.

LATHROP: Appreciate you hanging in there.

WARD GREISEN: Yeah, thanks for--

LATHROP: It's been a long day.

WARD GREISEN: --hanging in there as well.

LATHROP: Yeah, thanks. Next proponent. Good evening.

STEPHEN ZACH: Good evening. Steve Zach, S-t-e-p-h-e-n Z-a-c-h. Just want to say how bad that pill is. I personally was involved on a phone of a lady, a girl taken to Planned Parenthood at nine o'clock in the morning. At one o'clock, she was taken home and she didn't want to go to her mom's house. She was 17 years old, but I don't know if that's rape or not, but Planned Parenthood probably didn't turn it in as rape. But anyway, she went home to another lady's house and crawling on the floor, going to bathroom, vomiting all over and bleeding and everything and aborted the baby on the floor, after a lot of pain. A baby the size of your fist and somehow a priest got involved. The mother was called finally, the mother of the, of the girl, but it should be the grandma, took the baby to the hospital. Whether they'll have to baptize it or whatever, I don't know, but it's, it's very bad. And I'm involved in Knights of Columbus at 74 and the ultrasounds, there was about 18 or 20 of them or so that the Knights of Columbus paid for. And they're about \$20,000 each. So anybody who wants to see a real baby, usually, when you see the baby on the ultrasound, you do

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

not terminate the baby's life. And our church-- I'm at Saint Cecilia's Cathedral and every year, we have a pro-life booth and we try to be pro-life. We pass out literature against "abortuaries," Planned Parenthood. Or Leroy Carhart who does abortions in Bellevue and then he goes on to Maryland, it does it with late term abortions in Maryland and every weekend. So anyway, regarding the baby's heartbeat, it's a baby. It's not a chicken or a cow. I used to work on a dairy farm and I delivered babies-- delivered calves. And it's not, it's not a particular cow, it's a, it's a-- well, it's a baby calf. It's a cow. And on and on and on and on and on and on. So regarding these ultrasounds that we recommend people go in and see. I'm going to hurry up. I recommend you get the pro-life directory from American Life League that I've been involved in since '89 and the pro-life directory from American Life League, to look it up. It's help for women and girls. Thank you. God bless you.

LATHROP: Thank you. Good evening.

FRANCES CUPPLES: Hi. My name is Frances Cupples. I live in Fullerton, Nebraska, District 34.

LATHROP: Can you spell that for us?

FRANCES CUPPLES: F-r-a-n-c-e-s C-u-p-p-l-e-s. My son and I were listening as the opponents spoke and I thought about the difficult situations that some women have and we do feel for that and-- however, I think there are a lot of helps out there if they would seek in the right place to find those and there will probably need to be more. But they also talked a lot about reproductive health. And to me, that sounds like you're going to reproduce something, reproductive, so that that involves a baby. And I didn't hear much mentioned about a baby, maybe a fetus now and then. But a fetus, an embryo, and a baby are just different stages of age, life. And they talked a lot about the autonomy of the mother, but-- and mothers are very important, but the baby is what we need to be talking about most-- mostly, I do believe, because they're-- abortion is the taking of a life. If you were, were going to ask somebody-- OK, you take a life while it's inside the mother. After it's outside the mother, do we take their life then? What's the difference? It's a baby inside or out. And so I support LB781 and LB933 and LB1086, all of them because life is important. That is a baby. We're taking the life of a baby. That's incomprehensible to me. And I was 27 when I became pregnant. I thought it was going to be Sarah [PHONETIC]. And it took a while and I was so excited about it. There is so many people who don't have a child who would like to have a child so there is adoption there. And I think

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

about the procedure of abortion. You know, when I had cancer, they told me I had options. They explained it to me. They told me what would happen if I did this and if I did that, but I don't think these women get that opportunity when they have an abortion. I don't think things are explained to them and it ought to be. They don't understand what's going on so I support this heartbeat bill. Heart-- heartbeat means there's a life there and I support the chemical abortion safety protocol. All the things that can happen to a woman, they're there by themselves. There's no one there. If we really care about women, we would put these protections on. And I heard-- we heard from mothers today or women today, but I was saying, do we ever hear from the aborted baby? No. We don't hear their side of it. And I've heard testimonies of people who were aborted and lived. They're alive now. They're productive. They're thankful for life. And so they-- that was a baby. That's a human being. We need to think what would those babies say if they could talk to us, those that have been aborted? So I urge you to support all three of these bills.

LATHROP: OK.

FRANCES CUPPLES: Bring them to pass.

LATHROP: OK. Thanks for being here--

FRANCES CUPPLES: Thank you.

LATHROP: --all the way from Fullerton.

FRANCES CUPPLES: Got up at 5:15 a.m.

LATHROP: All right. Well, you've had a long day. Good evening.

STEPHEN GOODSPEED: Chairman Lathrop, thank you for all you senators and the trooper and everybody who's here. My name is Stephen Goodspeed, S-t-e-p-h-e-n G-o-o-d-s-p-e-e-d. I'm from Omaha, District 8. I also would like to mimic what my mother, who was just here, just said. I, I support the three bills that are being discussed today. You know, years past, the discussion or the argument was we don't know when life begins, we don't know if it is a life, we don't know what it is. And I-- you know, even as a young person, I didn't understand that because when you heard a couple say they're pregnant, you knew they were excited because they were having a baby. But the words that we are often told is follow the science today and it seems to be sidestepped with this topic. I think anyone who is really honest believes or knows deep in your heart that this is a child and it's just become an issue that is so politicized that we're afraid to stand

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

up and do what's right. You know, the point of government is to pass laws that are legal with the constitution of the state and the country and to protect citizens. And so I ask you guys to protect the citizens of our state, especially the weakest. And there's discussion of, you know, people leaving the state and this and that. You know, we're killing-- we are losing people. You know, the numbers were passed around 200,000 earlier, Nebraskans. Those people are gone by choice, so. And like Ward here earlier said, life, liberty, and the pursuit of happiness, it's not just for adults, it's for all citizens. And so I ask that that would be the case for the unborn as well in Nebraska.

LATHROP: OK. Thanks for your testimony and your thoughts. Good evening.

DAVID ZEBOLSKY: Good evening. My name is David Zebolsky. I serve as executive director for Nebraskans Embracing Life. It's D-a-v-i-d Z-e-b-o-l-s-k-y. Our mission at Nebraskans Embracing Life is to help the community to understand the life issues in a greater way, simply put. We believe that life is sacred from conception and we support LB933, LB781, and LB1086 for these reasons. We appeal to everyone to consider when do you say that life begins? Put another way, when would you be willing to stand up and defend a child from any kind of violence or abuse? At what age? We can say safely we're all united at five years old. None of us would have any kind of abuse or any violence imposed on an innocent child of five years old. So would you defend the life of a child at four, at three, at two years old, at one year old? Of course you would. How about at birth? There's no doubt an infant child is deserving of a defense. So how about before birth then? Eight months? Would you defend a child from any kind of violence or abuse from eight months? Seven months? Six? Would you defend a child at five months old? How about four or three months of gestational age in her mother's womb? Would you defend that child against any kind of abuse or violence? A month old, a week old, a day after conception? Would you defend a child in her mother's womb? Seventy percent, they say, of abortions are from chemical abortion, but they're not counting contraceptive abortifacient, abortifacients. So not counting contraception, these RU-486-prescribed chemical abortions not only are lethal to the child, but they harm a mother. From the patient information packet required by the FDA, you'll see known side effects and disability, infections and infestations, blood and lymphatic system disorders, immune system disorders, psychiatric disorders all caused by these RU-486 chemical abortifacient, misoprostol-type drugs; cardiac disorders, vascular disorders, respiratory, thoracic disorders, gastrointestinal disorders, muscular/skeletal, connective tissue and bone disorders, reproductive

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

system and breast disorders, other general disorders too numerous to mention. Please support these important pro-life bills, LB933, LB781, and LB1086. Thank you for this most important attention to these issues.

LATHROP: Thank you. Thanks for being here. Next proponent.

LEANDER KUSZAK: I didn't plan on testifying. I got talked into it in the line out here. So I said I would. I'll just do it off the cuff.

LATHROP: That's OK. We'll take off the cuff.

LEANDER KUSZAK: Take off the cuffs, please. Leander Kuszak.

LATHROP: We're going to have you give us your name and spell it first, though.

LEANDER KUSZAK: OK.

LATHROP: I got rules around here.

LEANDER KUSZAK: We'll do that. Leander Kuszak.

LATHROP: Say it again.

LEANDER KUSZAK: Leander Kuszak, L-e-a-n-d-e-r K-u-s-z-a-k. It's a Polish name. It's an easy Polish name, but still, people have trouble with it.

LATHROP: OK.

LEANDER KUSZAK: Kuszak. OK. Up until a couple of years ago, I was pro-choice. Probably, probably a liberal lifestyle, pretty much. And I always thought women had the choice. They should have, it's their body, right? But-- and I think I mainly did that so I didn't have to have a conflict. My female friends, coworkers, other liberals, it was easier to say I'm pro-choice. Therefore, I didn't have any responsibility. I could just put that on their shoulders. You made the choice. You decide to kill a baby, that's up to you. It's not my choice so I shouldn't have to have a guilty conscience. A couple of years ago, I started changing and Senator Geist had a bill, LB814, about dismemberment. We decided to go to a pro-life walk, which I think it was 14 below zero that day. We had coveralls. I talked my wife into it. We did it. All these people inspired me. This feeling of hope and believing in life, walked next to Governor Ricketts while we walked down the street. Different religious groups educated. I know

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

they liked to throw the education thing. I know-- I listened to every opponent to it in the room, you know, in the other room. I, I respect that. I respect their opinions. I think a lot of times, they try to put all the degrees they have and everything on top and that we are just common people down here. That's OK. I'm all right with common. I do know, I do know the difference between right and wrong. My daughter got pregnant in high school. She was a senior in high school, messed up everything. She has-- we had to take her-- we-- what we did, I did go to an adoption place to see if that would be an option. After talking to them, no. I thought I knew my daughter, but she couldn't just give that baby away. So the next day, we talked with the father-- OK, I got just a minute left?

LATHROP: No, you got another minute. Go ahead.

LEANDER KUSZAK: OK, so what we did was the other grandparents, we split it. They lived with them. We helped pay for them. We took them to-- we had to go to school, take her to school every day, get-- make sure she got it there. I have two beautiful grandsons aged 21, 22 Emilio Magana-Kuszek [PHONETIC] so we have some color in there. And Isaiah Magana-Kuszek [PHONETIC]. Those two boys would not be in my life today if I had done what was convenient, what was fiscally responsible. I wouldn't have them. I'm so thankful to God that I got them. I please want you to support these bills to not put people in that situation. Life is important. It's more than monetary. It's more than a career. It messed up my daughter, but she's got two beautiful sons and she never regretted that. I would hate to think that-- if I would have talked her into an abortion. I asked Jesus to help me on this because I wasn't religious either, not until a few years ago. I think he got me through it so thank you. I'm glad I'm the last one. You can all go home and I can drive toward Ord, Nebraska, tonight.

LATHROP: I think you did pretty good for off the cuff.

LEANDER KUSZAK: Thank you.

LATHROP: No, thank you for being here. Anyone else to speak as a proponent of either of these two bills? Anyone here to speak in opposition? Oh, OK. I didn't realize they were-- I thought this was it.

DeBOER: We thought we were done.

[BREAK]

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

LATHROP: I think we'll get underway. We appreciate your patience. You're a hardy group for sticking with this. How many people-- I'm told that there's 30, approximately 30 of you that want to be heard. OK. In order for us to do that-- I'm just doing the math-- if I, if I gave everybody three minutes, we won't get through it and then I'll have more people that don't have an opportunity to testify and I desperately want to avoid that. So we'll do two minutes and we'll try as best we can to get through all of the opposition testimony and give everyone an opportunity to be heard. We all-- this process of getting input from, from people across the state is important to the lawmaking process and so we want to hear from everybody if we can. To avoid any confusion, we're going to use the front row and I think we have enough-- if we do two minutes, we'll-- everybody should have a chance to be heard so we can just kind of cycle through the chairs. We will start at this end of the front row and just kind of move down like we did the last time, OK? To avoid any sort of sense that you have to jump up and, and try to get in line, we'll just take everybody in order beginning with the doctor. Are you going to testify?

_____ : Yes.

LATHROP: All right. Well, we will begin opponent testimony to LB781 and LB1086. And here's the other thing: while you're filling these forms out to testify, if you are opposed to both, put I'm opposed to both on that sheet, OK? If you're just opposed to one, just indicate the one you're opposed to so that we can keep a good record as best we can with a joint hearing. And with that, we'll begin opposition testimony. Good evening,

DEBORAH TURNER: Good evening. Thank you, Senator Lathrop and members of the Judiciary Committee. My name is Dr. Deborah, D-e-b-o-r-a-h, Turner, T-u-r-n-e-r. I am the associate medical director of Planned Parenthood of North Central States and I am here to state my opposition to LB1086. I have specialized in obstetrics and gynecology for almost 40 years, serving as a practitioner and medical director for gynecologic oncology at multiple hospitals in the Midwest and also providing health care at Planned Parenthood since 2016. Medical abortion involves safely and effectively terminating a pregnancy nonsurgically through a combination of two prescription medications, mifepristone and misoprostol. Based on state laws here in Nebraska, the first of the two medications is dispensed in person by a physician. The second is sent home when patients take it 24 to 48 hours later. Medication abortion requires no anesthesia and no sedation. It is only offered in the first trimester of pregnancy and it gives all women the option of a less invasive and more private

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

method of ending a pregnancy. Medication abortion is incredibly safe and is already overregulated. Data, including that from the CDC, shows that abortions have over a 99 percent safety record. Serious complications associated with abortion are exceedingly rare, occurring in less than one fraction of a percent of medication abortion patients and the abortion-related mortality rate is lower than that for colonoscopies, plastic surgery, dental procedures, and adult tonsillectomies. Women in the United States have been safely and legally using medication abortion for nearly two decades and medication abortion is becoming a more common choice for many patients. In fact, data that came out today shows that medication abortion is the option chosen by 50 percent of patients in the United States. The bill-- this bill has two key components that blatantly go against medical expertise and science evidence. The first is a reduction in the time frame in which abortion medications can be administered from the current guidance of 70 days down to 49. There's no reason for this reduction, as the safety and efficacy of medication abortions up to 70 days is well documented. The second is a restriction to receiving an abortion medication through the mail. While this is already not possible in Nebraska because of the ban on telemedicine being used for abortion, it goes against medical expertise and recently updated data in the Federal Drug Administration. This bill is nothing more than a blatant attempt to further restrict abortion. I would recommend very strongly that you vote against this bill, LB1086, and recognize that medication abortion is a safe, effective way to end pregnancies and is of a woman's choice. Thank you.

LATHROP: OK. Thank you, Doctor. Next opponent. Good evening.

ELENA SALISBURY: Good evening, Chairman Lathrop and members of the Judiciary Committee. My name is Elena Salisbury, E-l-e-n-a S-a-l-i-s-b-u-r-y, and I'm testifying in opposition to LB781 and LB1086. I was 19 and living in North Carolina when I found out that I was pregnant. There was no question in my mind that I would have an abortion so I found the one abortion provider in the city and scheduled my initial appointment. I went to my first appointment alone and inside the clinic, there was a big poster on the wall that said it's not too late for adoption. My heart sank. I had to listen to state-mandated misinformation about abortion from my doctor who was kind and compassionate, including lies about the made-up link between abortion and breast cancer, intended for the sole purpose of shaming and scaring me into changing my mind. State law also required me to undergo a transvaginal ultrasound, a medically unnecessary and invasive procedure. I felt vulnerable, violated, and scared. North

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

Carolina law also required that I listen to cardiac activity. When I reaffirmed that, yes, I had made my decision and I wanted an abortion, state law mandated that I go home and wait 72 hours before returning for my appointment, just in case I changed my mind. I returned for my appointment three days later and was escorted to the clinic door by a volunteer wearing a bulletproof vest. I did not and I do not regret my decision to have an abortion and I'm not sad about it. I'm sad that I was required to wait 72 hours between appointments to make sure I didn't want to change my mind. I'm sad that I was forced to undergo a transvaginal ultrasound. I'm sad that legislators in North Carolina didn't trust me to know what was best for my own body and I'm sad that other people seeking an abortion have to go through the same thing, many with less access to resources. The lasting trauma is not from the abortion itself, but from the attempts by North Carolina lawmakers to intimidate and coerce me into changing my mind. I have the life I do today because of my abortion. I'm a clinical social worker and on the board of Nebraska Abortion Resources because I was able to make the right decision for my life at the time. I urge you to vote no on LB781 and LB1086 because the right to bodily autonomy is sacred. Thank you.

LATHROP: OK. Thank you for your testimony and being here. Next testifier. Good evening.

DANIEL GILBERT: Good evening, Senator Lathrop, members of the Judiciary Committee. My name is Daniel Gilbert, D-a-n-i-e-l G-i-l-b-e-r-t. I live in LD 9. I'm a vice president of the Planned Parenthood Advocates of Nebraska. I'm here to testify in opposition of LB781 and LB1086. Above all, I'm opposed to these bills because they violate my beliefs and the deeply held values of the religion that I and thousands of others here in Nebraska practice. That's Reform Judaism. I support reproductive rights. My passion for this topic is grounded in the Jewish value of Hevod Habriyot, respect for individual dignity that includes each person having autonomy over their own bodies and the decisions they make about medical care, including abortion. The largest organization of Jews in the United States, the Union for Reform Judaism, consistently reaffirms these views as central to Reform Judaism. Last year, Governor Ricketts proclaimed January 16th Religious Freedom Day in Nebraska when he said we must vigilantly support religious liberties both at home and abroad against those who would encroach upon them. And yet, here comes these bills in our Legislature that in fact encroach on my religious liberties. The bills in front of you would codify one particular belief into law for everyone. Passing this bill would criminalize the religious beliefs that my family and my community hold. Does Nebraska aspire to be a place that criminalizes well-established religious beliefs? One impact

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

of these bills will be that an increasing number of young Jews will choose to make their homes somewhere other than Nebraska. They will see that our state's government doesn't share their values and they will choose to live elsewhere. This makes me nervous for the vitality of a community that's been part of Nebraska since 1871. The message drives younger people, including my children, to build a life in communities where their values are respected. These are places beyond Nebraska. I urge you to oppose LB781 and LB1086 and vote against advancing these to the floor. Thank you.

LATHROP: OK. Thanks for being here. Good evening.

CHRISTON MACTAGGART: Good evening. Hello again. My name is Christon MacTaggart, C-h-r-i-s-t-o-n M-a-c-T-a-g-g-a-r-t. I'm the executive director of the Nebraska Coalition to End Sexual and Domestic Violence. You were here when I testified last time so I will not belabor the same points. I know it's been a long afternoon/evening. I'll just say again that this is not historically a place where the coalition has, has stepped into on abortion-related bills. However, we didn't feel that we could ignore the potential harm that would be caused to survivors if the-- if these bills pass. We know and I want to reiterate that we know perpetrators of domestic violence and sexual violence use victims' reproductive health consistently as part of their abuse and through coercion and that if this bill passes, perpetrators of sexual violence will use it to control and harm victims. The other thing that we know is that it will disproportionately impact women of color who experience intimate partner violence, sexual violence, trafficking at much higher rates. As one example, while one in four women experience intimate partner abuse in their lifetime, among black women, the rate of physical partner abuse increases to 41 percent and in indigenous women, increases to 56 percent. So with that, I know there are lots of people that want to testify and I want to make sure everybody has a chance. We support every survivor in their right to have control over their bodies and so with that, we would ask you and we would oppose both LB1086 and LB781.

LATHROP: OK.

CHRISTON MACTAGGART: Thank you.

LATHROP: Yep, thanks for your testimony. Good evening, once again.

SARAH FORREST: Good evening, once again, Senator Lathrop and members of the Judiciary Committee. My name is Sarah Forrest, S-a-r-a-h

F-o-r-r-e-s-t. I'm the director of operations at the Nebraska Alliance of Child Advocacy Centers. I'm testifying on behalf of the Nebraska Alliance in opposition to both LB1086 and LB781 out of concern for the impact that these bills will have on the children and families our child advocacy centers serve every day. You were all here earlier and you heard that nearly half of all the reports CACs respond to each year in Nebraska involve child sexual assault, sexual abuse, and sex trafficking and we frequently see children and families having to deal with the after effects of not only abuse and assault, but pregnancy resulting from that assault. The first CAC in Nebraska opened its doors in 1996 and so we've never really lived in a world where, for survivors that we serve, abortion is just not accessible. There are CACs in Texas and they're already starting to feel the effects of bills similar to LB781 and LB1086. A recent Dallas Morning News editorial highlighted the impact of a similar bill on children and families served at the Dallas CAC. In a single month after SB 8 went into effect, seven 12-year-olds were served at the CAC who were pregnant and were not able to access an abortion in that case because often children don't recognize the signs of pregnancy. They may not even know that what's happening to them could result in pregnancy and so this really would effectively make it inaccessible for survivors of childhood sexual assaults. So that's our concern that simply, it would place families in a terrible situation with an additional burden for those who would-- who wish to sort of pursue abortion as an option for their healing. So I appreciate your attention and your time this evening. I'm happy to answer any questions.

LATHROP: I don't see any questions.

SARAH FORREST: Thank you.

LATHROP: Thanks for being here.

SCOUT RICHTERS: Hello again.

LATHROP: Good evening.

SCOUT RICHTERS: Good evening. Scout Richters, S-c-o-u-t R-i-c-h-t-e-r-s, here on behalf of the ACLU of Nebraska in opposition to both LB930-- sorry, LB1086 and LB781. When it comes to the most personal decisions in life, it should be up to the individual to decide for themselves free from punishment, judgment, or political interference. Both of these bills judge and shame women and criminalize doctors. Turning first to LB1086, the safety and effectiveness of medication abortion is undeniable, as you heard from

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

Dr. Turner. Since the year 2000, the FDA has extensively studied medication abortion and continues to update its guidance. Not only does this bill not align with the FDA guidance most recently issued in December of 2021, worse than that, it sets us back more than 20 years. The-- I did want to note that the chemical abortion language in this bill, just like abortion restrictions in general, are, are based in politically charged rhetoric rather than medicine, science, or law. Turning next to LB781, Texas has shown us the dangers of what happens when an entire state bans abortion. Since taking effect, the law denies people access to medical care, forcing them to travel out of state, or continue their pregnancies against their will. We cannot have this happen here in Nebraska. In closing, abortion is healthcare, plain and simple. Nebraskans have the right to access healthcare and LB1086 and LB781 are blatant infringements on this right. Stopping these bans and restrictions is essential in the fight for racial, economic, and gender justice. We urge the committee to indefinitely postpone, postpone these harmful bills. Thank you.

LATHROP: OK. Thanks, Ms. Richters.

SCOUT RICHTERS: Thank you.

LATHROP: Next opponent. Good evening.

JO GILES: Good evening, Chairperson Lathrop and members of the Judiciary Committee. My name is Jo Giles, J-o G-i-l-e-s, and I'm the executive director for the Women's Fund of Omaha. We oppose LB1086 and its attempt to further restrict medication abortions in Nebraska and we also oppose LB781 to ban abortions outright. At the Women's Fund, we care deeply about the well-being of women, especially women who may be facing difficult circumstances. We share the concern of many for prioritizing the health and safety of a pregnant person who has decided to seek abortion care. Furthermore, it is the consensus of the medical community-- you've heard that this evening-- that medication abortion care is very safe. Medication abortion has been FDA approved since 2000 and complications are extremely rare, occurring in no more than a fraction of a percent of patients. To be clear, there is no medical reason to eliminate access to medication abortion, only political. Our laws should support and safeguard a woman's health, not create a barrier to what is safe, effective medical care. Instead of limiting healthcare options, we should instead be expanding the ways in which safe, effective medical care can reach people. No matter how each of us may feel about abortion, the decision about whether to keep or end a pregnancy is a deeply personal one. We can never know all of the circumstances behind an individual's decision. Therefore, it is

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

critical that a woman be able to seek the consultation of highly trained medical professionals who can assess her individual health needs and make recommendations and their best medical judgment and in line with evidence-based standards of care. The Women's Fund respectfully urges you to vote no on LB1086 and LB781. Thank you.

LATHROP: OK. Thanks for being here again. Appreciate hearing from the Women's Fund. Next opponent. Good evening.

KRIS KINZIE: Good evening, Senator Lathrop and Judiciary Committee. My name is Kris Kinzie, K-r-i-s K-i-n-z-i-e, and I am a resident of Wayne, Nebraska. I am one of the luckier Nebraskans who would only have to travel up to 89 miles to receive an abortion. Most rural Nebraskans would need to travel over 180 miles to receive such healthcare, just one of the many obstacles that rural people in the state encounter when trying to seek a safe and legal medical procedure. In fact, rural Nebraskans are more likely to face more than one obstacle. People in rural communities are more likely to be low income due to the lack of employment opportunities in the structure of smaller local economies. They are less likely to have private, private insurance and more likely to be enrolled in Medicaid. They are less likely to find childcare and more likely to work in the service industry, where getting time off of work is more difficult. Traveling even 50 miles one way could be financially unthinkable for someone who has little disposable income and resources. Having to do this on more than one occasion for a follow-up appointment would be impossible. Rural schools are less likely to teach comprehensive sex education, yet rural teens are more vulnerable to negative sexual health outcomes. Under 50 percent of rural teens receive sexual education that includes birth control and the percentage of teen pregnancy is higher in rural areas. Just last July, my state senator, Senator Albrecht, reported to a news outlet that 47 school boards around Nebraska had either adopted resolutions or sent letters opposing the proposed health education standards. Even after stripped down to the bare minimum, rural Nebraska schools did not want education that can provide rural teens with the tools to prevent unwanted pregnancies, education that has proven to delay sexual activity in teens. We are failing rural kids in this state and we are not preparing them and giving them the information to thrive. Generation Z is one of the most racially and ethnically, ethnically, ethnically diverse, progressive and least religious populations the country has ever seen. According to a study done with the Barna Group, only 29 percent of Gen Z think abortion is morally wrong. They are looking for tolerance, acceptance, and equality. These types of restrictions and bans on people's

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

reductive-- reproductive freedoms are not encouraging them to stay in our state. Thank you.

LATHROP: OK. Thanks for traveling here from Wayne. Good evening.

JEAN IMRAY: Hello. Good evening, Chairperson Lathrop and members of the Judiciary Committee. My name is Jean Imray, J-e-a-n I-m-r-a-y, and I am here to speak in opposition to LB781 and LB1086. Combining two things so I'm going to give this my best, but I opposed LB781 because it would eliminate nearly all abortion care in the state, making essential healthcare inaccessible for many Nebraskas-- Nebraskans. It is an attempt to end abortion access in Nebraska. This bill will not end abortions. It will end safe abortions. This bill is an extreme and unconstitutional restriction on abortion, starting at approximately, approximately six weeks of pregnancy, before people know they are pregnant. This bill removes a person's right to make full-- fully informed medical decisions and is a barrier to health information. It is a barrier to women's agency over her medical care and it will deny Nebraska citizens the dignity and autonomy to make their own reproductive health decisions. If LB781 had been law when I had an abortion, my experience would have been more difficult. As a 21-year-old college student, I had an unplanned pregnancy. I did not know I was pregnant at six weeks when I had an abortion. The doctor estimated I was 14-plus weeks into my pregnancy. With a six-week ban, I would have needed to travel to another state to access an abortion. At the time, I had a car and money to pay for the abortion. Not having an abortion would have negatively impacted my future. I would have most likely dropped out of college and started life as a single mother. People with means will always be able to travel to get abortions and medications and/or make multiple visits to visit healthcare providers, but people with low incomes will have no options. This bill punishes people living in poverty and does nothing to improve health outcomes for those who need it most. Thank you for your time and I urge you to oppose LB781 and LB1086 and keep it off the floor of the Legislature. Thank you.

LATHROP: OK. Thank you for your testimony. Good evening.

ANDI CURRY GRUBB: Good evening. Chairperson Lathrop and remaining members of the Judiciary Committee, thank you for being--

LATHROP: In fairness, two of these chairs are empty because they're introducers.

ANDI CURRY GRUBB: Yes.

LATHROP: OK.

ANDI CURRY GRUBB: Yes, I did know that--

LATHROP: OK, good.

ANDI CURRY GRUBB: --but I was teasing the other two. My name is Andi Curry Grubb. That's A-n-d-i C-u-r-r-y G-r-u-b-b. I am the Nebraska state executive director for Planned Parenthood North Central States and I'm here to state my opposition to LB781. LB781 would drastically reduce access to abortion in Nebraska, placing a limit that is before many people know they're pregnant. You've heard this already. In the state of Nebraska, from the 2020 report out of DHHS, less than 2 percent of abortion patients receive abortions at this stage in pregnancy. You've heard from many people regarding the concerns that severely limiting or banning abortion raise. You've heard from medical professionals, people with uteruses, mental health practitioners, and so on. So I'll not repeat all of that, but I do want to say on the record that all of the concerns that you heard regarding LB933 apply to LB781 and LB1086 as well. What I would like to add to the discussion and what I've attached here to my testimony is a letter from my Planned Parenthood colleague in Texas. You've heard from some other Texans that are here with us today about the devastating effects and I wanted to, to add one more. This letter was written by someone that's worked for Planned Parenthood for 13 years. She says, I manage our call center in Houston, which has essentially turned into a crisis hotline. We are the first point of contact for patients. We hear their shock, confusion, anger, terror, and sheer desperation. Their stories keep me up at night. We've seen patients who have tried to end their own pregnancies with herbs or teas they found online. And when that didn't work, they came to our health center in excruciating pain, begging for help. We've seen patients who are experiencing homelessness and struggling with drug addiction and know they can't support a child. We saw a patient whose birth control failed and who thought they had had their period when they were actually experiencing breakthrough bleeding in pregnancy. We've seen other patients in abusive relationships or domestic violence situations who can't simply leave the state for days at a time. We've seen patients who were still eligible for abortion in Texas at their ultrasound, only to find out they passed the limit when they came back the next day after their state-mandated 24-hour waiting period. Through no fault of their own, they lost their right to access abortion in their own state overnight. It's exhausting and devastating. I cry all the time. I think about the people who simply can't leave Texas, the people who never hear-- we never hear back from, the people who never call us in the first place.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

Where do they go? What do they do? What will happen to them and their families? Having to turn people away feels inhumane and like we're being forced to inflict trauma on our patients. There's more to that story and it's these stories and all of these experiences that compel me to respectfully request that you oppose LB781 and LB1086.

LATHROP: OK. Thank you for your testimony.

TIMOTHY C. MELCHER: Good evening, senators.

LATHROP: Good evening. Welcome.

TIMOTHY C. MELCHER: Thank you. My name is Timothy C. Melcher, T-i-m-o-t-h-y C M-e-l-c-h-e-r, and I'm here to testify in opposition to LB781. The reason I oppose LB781 is because I seek to keep abortion legal and accessible, particularly in cases of sexual assault. LB781, the Heartbeat Act, seeks to outlaw abortion when a fetal heartbeat is detected. The heartbeat of an unborn child typically starts at five to six weeks. At this stage, however, the unborn child is still considered an embryo. The embryo is not considered a fetus until about week eight. Therefore, I believe that technical issues exist with both definitions of an unborn child and a specific timeframe in which abortion is outlawed. Regardless, I find LB781 to be unconstitutional. In *Planned Parenthood v. Casey*, the court ruled that the Fourteenth Amendment protects a woman's right to choose to have an abortion prior to viability. Viability starts at about week 23 or 24. While *Planned Parenthood v. Casey* does allow for abortion restrictions at viability and forward, it does not allow abortion to be outlawed prior to viability. In summary, I'm opposed to LB781 because of technical issues and the fact that it unconstitutionally outlaws abortion prior to viability. Additionally, this bill does not address pregnancies that are a result of sexual assault. Thank you for your time.

LATHROP: Thank you, Mr. Melcher. Good evening.

JESSIE MENCK: Good evening, Chairperson Lathrop and members of the Judiciary Committee. My name is Jessie Menck. That is spelled J-e-s-s-i-e M-e-n-c-k. I am here to speak in opposition to all the bills, LB933, LB781, and LB1086. I am a Nebraskan. Depending on which side of my family you look at, I'm a-- both a fifth and sixth-generation Nebraskan. On my mother's side, the family homestead in Jefferson County, not far from the Homestead National Monument, has been farmed since 1890. On my father's side, in 1857, my great-great-great grandfather was a founding member of the town of

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

Grand Island in Hall County where the original structure with the family name is still preserved at the Stuhr Museum at the Prairie Pioneer. I value a lot as a Nebraskan, including wide open spaces, rugged self-determination, and personal autonomy. These are hallmarks of the pioneer spirit and what would be abridged by these legislative bills. If these bills become law, they would take away the rights of Nebraskans like me to-- and they would introduce undue governmental influence into the personal and private lives of Nebraskans who seek safe, medically managed abortion care. Abortion access is not only necessary, I stand that it is absolutely in line with the values of our state. I encourage you to vote no on LB781 and LB1086 and keep them off of the legislative floor in order to preserve the rights of Nebraskans to live freely and equally under the law. I thank you for your time.

LATHROP: Thank you.

AILEEN GARZA: Good evening.

LATHROP: Good evening.

AILEEN GARZA: My name is Aileen Garza, spelled A-i-l-e-e-n, Garza, G-a-r-z-a, and I am on the board of directors of Frontera Fund, an abortion fund that operates in Texas on the southern-most border with U.S. and Mexico. I'm here today in opposition of LB1086, LB933, and LB781. Our abortion fund supports callers in South Texas and along the Rio Grande in making sure they are financially able to afford their abortion and their most likely need to travel because of frivolous laws passed, passed in my home state of Texas. So Texas faces very similar abortion restrictions that Nebraska does; mandatory waiting periods, biased and medically inaccurate mandatory counseling, so on, so forth. We've heard it all. At the beginning of the COVID-19 pandemic, Governor of Texas, Greg Abbott, put the lives of millions of Texas women and people with childbearing bodies on the line when he made executive decisions that abortion was an elective medical procedure and did this without access to telehealth. For months, millions of lives were in political limbo, not able to get an abortion and not knowing what's next. And if we want to address healthcare in our current system in the U.S. specifically, we need to make sure that we give access to everybody; poor, black, brown, and rural residents that support to take care of themselves, their families and keeping them safe, happy, and healthy. LB1086 will only add to unnecessary hoops that people in Nebraska will have to endure. A medication abortion is safe, useful, and, most importantly, a choice for many people seeking abortion care. Placing restrictions on a medication

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

abortion at, at seven weeks on further strips people of their choice to make healthcare decisions for their own bodies. So we at Frontera Fund ask that you all oppose LB1086, LB933, LB781 because yeah, abortion is healthcare. Thank you.

LATHROP: OK. Thank you. Good evening.

CATHY TORRES: Good evening. My name is Cathy Torres, C-a-t-h-y T-o-r-r-e-s, and I am the organizing manager at Frontera Fund, an abortion fund based out of South Texas. I am writing today in opposition of LB781. We help South Texans and border communities access abortion care by providing financial assistance and practical support in the form of lodging, travel, food assistance, and childcare. As an abortion fund in Texas, we experience on a daily basis what an abortion ban like LB781 does to people. The average cost for travel and lodging for Texans leaving the state ranges between \$1,500 and \$2,000 and that's not including needing to take time off work or childcare costs. Almost every caller who has reached our help line is being forced to travel out of state for their abortion care, many of which have never left South Texas before. The people of the Rio Grande Valley, where we are based, are being further disenfranchised by abortion bans identical to LB781, crafted to strip us of our body autonomy and access to abortion services. We are a majority Latinx border community with 40 percent of individuals falling beneath the federal poverty line. This is representative of the marginalized people that are predominantly impacted by these abortion restrictions. It makes no sense to force people to travel for healthcare under any circumstances. There is no justification for the trauma inflicted on people seeking abortion care for the criminalization of a simple healthcare procedure and for the blatant disregard for our own privacy and healthcare decisions. Our body autonomy is not a political playground. LB781 Section 8 states nothing in this act "shall be construed to create or recognize a right to abortion." This is flat out unconstitutional. An abortion ban at six weeks, a gestation where people are often not even aware they're pregnant, is an undue burden. This is about control and does nothing to benefit pregnancy-capable people. LB781 serves no purpose and has no positive outcomes. Frontera Fund asks the committee to oppose LB781. Thank you.

LATHROP: OK. Thank you for your testimony. Good evening.

TYNE TYSON: Good evening. Thank you to the committee for the opportunity to speak. My name is Tyne Tyson, T-y-n-e T-y-s-o-n. I am a third-year medical student at Creighton University in Omaha. I oppose

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

LB781 and LB1086. Freedom of religion is one of the fundamental rights afforded to Americans by the Constitution. The right is affirmed in Nebraska State Constitution Article I-4 ratified in 1875. LB781 clearly violates this. I am Jewish. In my religious tradition, we do not believe life begins at conception. Daniel Gilbert discussed this and I wish to add to it from my perspective as a Jewish healthcare provider. Jewish sources not only allow abortion, but view it as the only moral choice when a pregnancy endangers the parent. I expect some questions about whether the exception in LB781 permitting abortions in cases of medical emergencies is sufficient to allow Jewish individuals to be able to exercise their right of conscience. No, it does not. Danger to the pregnant person is not limited to the immediate threat to the pregnant person's life. In Judaism, we recognize that a pregnancy can affect the life of a parent in ways beyond mortal danger. If a pregnancy endangers the health of a pregnant parent in any way, including psychological, social, and long-term harm, we would consider a moral imperative to offer the individual access to an abortion. Failure to provide a patient with the choice to terminate a pregnancy would be a serious moral failure on my part as a healthcare provider. Just as it would be morally wrong to force a Catholic provider to provide to perform an abortion in opposition to their religious beliefs, so would it be morally wrong to prevent me from providing an abortion to a patient in accordance with my religious beliefs. In summary, I stand in opposition to this law, as it unfairly restricts my religious freedom and my right to provide for my patients. I ask you to please vote no on these bills. Thank you very much.

LATHROP: Thank you. I don't see any questions, but we appreciate you being here.

EMILY PETERSON: Good evening, Senator Lathrop--

LATHROP: Evening.

EMILY PETERSON: --and good evening to the members of the committee. My name is Emily Peterson, E-m-i-l-y P-e-t-e-r-s-o-n, and I'm a medical student. I oppose LB781 and LB1086. LB781 states that physicians may perform abortions in cases of medical emergency. This clause was added to the bill to protect the health and safety of pregnant women, but it fails. It is impossible to say with certainty whether a medical condition will result in the death or serious injury to someone within the next day, weeks, or months. There is rarely a situation in which we wait for a patient to get sicker before we provide care. This goes against everything we are taught about preventative medicine. As a

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

medical student, I have learned about conditions that can be exacerbated by pregnancy. One example is lupus, which can cause kidney disease. Patients who begin to show signs of renal failure do not need an immediate abortion to save their life that day or even in the coming months, but the average woman's life expectancy decreases by 30 years after beginning dialysis. Preventing this is the best practice. Even previously healthy patients with uneventful pregnancies can develop unpredictable, life-threatening complications during labor or the postpartum period. In fact, 75 percent of pregnancy-related deaths occur during childbirth or postpartum. These patients die due to complications such as eclampsia, hemorrhage, or heart failure. These conditions affect rural Nebraskans more because they have less access to specialty care. Furthermore, women impacted by intimate partner violence who are denied the choice to have an abortion are more likely to stay with abusive partners, putting themselves and their children at risk. Women who are pregnant or postpartum die by homicide at more than twice the rate that they die of bleeding or placental disorders. Pregnant and postpartum women are killed at a rate 16 percent higher than their nonpregnant counterparts. Researchers estimate that about two-thirds of these women were killed by an intimate partner. Patients should decide for themselves to accept these risks. Abortion bans, even with their exception for medical emergencies, do not protect the health and safety of women. I ask you to please oppose LB781 and LB1086. Thank you for your time and attention.

LATHROP: OK. Thank you for your testimony. Good evening.

JILL HEGGEN: Good evening, Chairperson Lathrop and members of the Judiciary Committee. My name is Jill Heggen, J-i-l-l, Heggen, H-e-g-g-e-n, and I oppose LB781, a six-week abortion ban, which is an extreme and all-out abortion ban in Nebraska, as well as LB1086. These bills are another attack on the rights of women and pregnant people. Each year, anti-abortion politicians chip away at our reproductive rights and today I'm here to say enough. For all of time, women have been dismissed for asking for what they want. We have been silenced and shamed when it comes to our sexual health and our bodies. We have been called hysterical for sounding the alarm that a day like today could happen. And yet, here we are. Will you hear us today? Will you protect our rights to make decisions about our own bodies? Will you draw a line in the sand that says enough is enough? Today it's a six-week abortion ban. It's restricting an FDA-approved medicine. It's further limiting my access to healthcare when unnecessary restrictions already exist in our state. Tomorrow, there will be attempts to eliminate all access to birth control. It'll be further erasure of LGBTQ individuals. Then it will be criminalizing miscarriages. You may

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

think this sounds impossible and yet here we are. If you vote to pass further medically unnecessary restrictions on my healthcare, you empower anti-abortion legislators and disregard medical expertise. If you support these bills, you embolden anti-LGBTQ politicians and erase Nebraskans. If you support these bills, you take away my rights based on someone else's beliefs. So today I ask you to vote no against these bills. Vote no in committee and send a strong message to all Nebraskans that here they are respected and treated with dignity, that here we value all people and won't stand in the way of making healthcare decisions that are right for them, that in Nebraska, we listen and trust women. Thank you for listening today, for sitting through all of this, for hearing us. Please vote in a way that is truly right for all Nebraskans. Thank you.

LATHROP: OK. Thanks for being here, for your testimony. Next opponent. Good evening.

COLE CHRISTENSEN: Good evening, senators. My name is Cole Christensen, C-o-l-e C-h-r-i-s-t-e-n-s-e-n. I'm here today to voice my opposition to LB1086 and LB-- Senator Slama's bill and frankly, any bill limiting the reproductive rights of Nebraskans. As I was listening earlier to the testimonies of the proponents of the LB933, I was struck by the cognitive dissonance of people here under the guise of being so-called pro-life, when what I consistently heard was a fixation on a time between in which the fetus is conceived to that nine-month mark while they're still in utero. When an actual living being is brought into this existence, however, I would like to point out that these same individuals who consider themselves so pro-life seem to fall silent or actively oppose protections for life outside of the womb. At the end of the last legislative session, I would like to point out that Senator Slama, Slama-- I'm frankly not going to learn how to pronounce it-- was asked to comment on the state's decision not to push through a financial-- or a bill that would help financially fund children with severe physical disabilities and limitations stating that it was not a priority of the state at this time. I would also like to point out that SNAP benefits in our state alone were cut prematurely during the pandemic by our supposedly pro-life Governor. So what I'd like to just point out is that the irony of putting this nomenclature or label on being pro-life while doing things that actively work against people who are alive and then use that to limit the access or the right of women to make a choice on their own bodies when all of the friends that I have who have had abortions have done so with a lot of thought and not just on a whim, like, oh cool, now I can go and get pregnant again. It's always a very seriously considered thing. And instead of fixating on the fetus, if we could actually fixate on legislation that

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

helps support life that is actually already here on this planet, that would be really ideal. That's all I have.

LATHROP: OK. Hey, we don't do the applause thing. Thanks. Thanks, Mr. Christensen. We don't do the applause thing. Maybe you missed that when I was starting out, but we're trying to have a hearing here and maintain decorum.

JUDY KING: Thank you, Senator Lathrop.

LATHROP: Good evening, Ms. King.

JUDY KING: I'll try to do better. Judy King, J-u-d-y K-i-n-g. I'm here because I'm against these three bills that these three ladies put, put out, Geist, Slama, and Albrecht. Women will not be stopped. We have fought for-- fought too long for equality. Your religion and your party will not stop us. We will not have a religion tell us what we can do with our own bodies. Are the religions that do genital mutilation next for you? We will not go back to the knuckle-dragging days that you must cherish so much. We will not-- we will have abortions like we did before it was legal and you cannot stop us. You will, however, probably make it life threatening for some women. But there are those of us that will always figure out a workaround. I am from a time when the hangers and the back-alley doctors were used on women. We will always have abortions. We will always, we will always help each other-- any others that need abortions. If, if-- I'm going to skip that part. That's the nice part. Your religion will not determine the fate of women that need abortions. Your party will not determine the fate of women that need abortions. Men will not determine our fate of women that need abortions. The friends helping women will not be stopped. It will make them fight back even harder. Women will still have abortions, women will still have abortions and you will only make it harder. You will only make it harder. Thank you.

LATHROP: OK. Thanks for being here. Good evening and welcome.

MICHAELA ATKINS: Good evening, Senator Lathrop and members of the Judiciary Committee. My name is Michaela Atkins. That is--

LATHROP: You're going to have to speak up a little bit.

MICHAELA ATKINS: Sorry, my name is Michaela Atkins--

LATHROP: OK.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

MICHAELA ATKINS: --M-i-c-h-a-e-l-a, Atkins, A-t-k-i-n-s, and I am representing I Be Black Girl. I Be Black Girl is a collective that creates space for black women, femmes, and girls to access and reach our full potential through reproductive freedom. I am testifying in opposition to LB1086 and LB781 because each of us deserves a decision of what healthcare choices are best for ourselves, our family-- and our families, which includes abortion and family planning. Our approach to our work is advocating for the human right to maintain personal bodily autonomy to have children or to not have children and to parent the children that we do have in safe and sustainable communities. That right can only be achieved when all women and folks with reproductive systems have the complete economic, social, and political power and resources to make healthy decisions about our bodies, our families, and our communities in all areas of our lives. LB781 and LB1086 serve to further prevent access to abortion and strip away our rights and freedoms as individuals and as Nebraskans. The freedom to make our own decisions about our lives, our futures, and our families allow Nebraskans to thrive and to live in a place where we feel seen, heard, and safe. When we respect people's right to decide when to start a family, we create a society where we can all contribute with dignity and respect to one another. Women and people with reproductive systems who utilize the right-- their right to-- of choice are proven to be more financially stable, set ambitious career goals, and raise their families under more emotionally and financially stable conditions. We are creating a web of barriers that push abortion care out of reach, therefore combating the safety of our communities. These bills' restrictions fall hardest on low-income families who are disproportionately black people in addition to rural Nebraskans. These groups already lack access to healthcare and create another barrier-- creating another barrier can serve to impact their quality of life. People want to live in a place that they can thrive and they-- and limiting reproductive rights will push Nebraskans to leave and prevent others from choosing Nebraska as their home. We oppose LB1086 and LB781 and ask you not to further restrict our healthcare access. Thank you for your time.

LATHROP: OK. Thanks, Ms. Atkins.

ZOE MILLER: Hello. Zoe Miller--

LATHROP: Hello. Good evening,

ZOE MILLER: --Z-o-e M-i-l-l-e-r. I'm testifying today in opposition of LB781 and LB1086. I first want to speak about LB781, which is the six-week ban. Pregnancy is counted in weeks based on your last period,

the first day of it, so six weeks pregnant might only mean two weeks late for some people. I am someone-- I didn't have my first period until I was 18 years old and now I don't get it at all from my birth control pills. I take birth control because I'm sexually active and I don't want to get pregnant. I'm also human and sometimes I miss a pill or I don't take it on time. And for people like me, it's really hard to tell if you are pregnant. I'm grateful that I'm still able to get an abortion in Nebraska if I were to become pregnant. I'm a full-time college student and starting a family is not on my horizon right now. That's the decision I've made. Anti-abortion bills like these hurt vulnerable populations, such as low-income Nebraska families, Nebraskans of color, and our rural Nebraskans. Abortion is an option for people who don't want to carry out a pregnancy for a myriad of reasons; rape, incest, money, domestic and sexual violence, mental health, or simply because they don't want to have children. Being forced to carry out a pregnancy you do not want is cruel. It's a violation of bodily autonomy. I don't want the government to have control over what I can and cannot do with my body. Whether you personally believe abortion to be morally right or wrong, I'm asking you to respect the bodily autonomy and access to safe healthcare for pregnant people in our states. I'm disappointed Senator Slama, Senator Albrecht, Senator Geist, and all the other senators who have cosponsored these bills. You may all personally believe abortion is wrong and that's completely fine, but why should you be able to deny others access to one? Why should you be able to decide what other people do with their bodies? We are going back in time trying to adopt these anti-abortion policies when we should be expanding this access and thriving as a state to better care for low-income people, people of color, and our rural communities. Why can't we do better? Why should I have to sit here and try to plead my case that you should not be able to make decisions about my body and what I can do with it? It is ridiculous. I urge you to vote no on these anti-abortion bills.

LATHROP: OK. Thanks for being here. Good evening.

SOPHIE GRAEVE: Good evening, Chairperson Lathrop and members of the Judiciary Committee. My name is Sophie Graeve, S-o-p-h-i-e G-r-a-e-v-e, and I'm here to testify in opposition to LB1086 and LB781. My mom got an abortion in the late '80s when she was just 19 years old. Neither her or her partner at the time were emotionally or financially ready to bring up a child. Her having the option to get an abortion is the reason she has the life she does today. I am immensely grateful that my mother is so open with me about her abortion and that she taught me how to have a safe and healthy sex life. Not everyone is granted that same privilege. I am a public health major at UNO and I

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

see firsthand how a lack of education on sexual health can have real-life consequences. LB1086 puts unnecessary limits on medication abortion. There is no medical reason to shorten the time limit to take the abortion medication down from 11 weeks to 10 weeks nor is it medically necessary to have pre and post visits to the doctor. All this bill will do is ensure that people who do not want to be pregnant, but do not have the money to travel and receive an abortion, will be forced to carry out an unwanted pregnancy. Yesterday, during floor debate on LB939, multiple senators mentioned that LB939 is necessary to keep people from leaving Nebraska. Bills like LB781, LB933, and LB1086 will make me and many other young people in Nebraska leave. I do not have the money or emotional capacity to carry out a pregnancy right now and I do not want to risk being forced to carry out that pregnancy. If these bills pass, me and many other Nebraskans will leave. It is not anyone's decision besides the pregnant person and their doctor to decide what is best for them. Shame on you, Senator Slama. Shame on you, Senator Albrecht, and shame on you, Senator Geist. You are not medical experts and you should not be acting as such. Thank you for your time.

LATHROP: OK. Thanks for your testimony, being here tonight. Welcome back.

MIMI ARABALO: Thank you. Good evening. My name is Mimi Arabalo, M-i-m-i A-r-a-b-a-l-o, and I oppose LB781 that would place a six-week abortion ban on Nebraskans seeking essential healthcare. Banning abortion at six weeks of gestation would give the impression that a pregnant person has six weeks to make an informed decision on whether or not to pursue pregnancy. Actually, a six-week ban would restrict an already time-sensitive issue to almost no time at all because it is not uncommon for someone to not even know they are pregnant yet at six weeks of gestation. I oppose this bill both as someone who sought an abortion learning I was pregnant after six weeks and also as someone who holds a biology degree. Time for a quick biology lesson. Pregnancy is not measured from the day an egg becomes fertilized. Pregnancy is measured from the first day of someone's last menstrual period. Often, a missed period is someone's first symptom of pregnancy. This means that by the time a pregnant person has missed their period, they are already four weeks pregnant. If that person chooses to seek an abortion under the restrictions of a six-week ban, that person has only two weeks to get time off, make an appointment, gather funds for the visit, and get to one of only three abortion clinics in the state of Nebraska. This is all assuming someone has a regular 28-day cycle. Throw in other variables like health conditions, changes in diet or physical activity, stress/weight fluctuations, or various birth

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

control methods and that can change or-- enough to cause someone to miss or be late for their regular period. So when someone is late for their period, they may or may not be inclined right away to suspect pregnancy. This is why it is not uncommon for people to learn that they late for-- that they are pregnant after they are six weeks-- after six weeks of gestation. A six-week ban may seem somewhat moderate by allotting a supposed six weeks for someone to access abortion, but in reality it allows an abort-- it-- but in reality, it allows for abortion to be accessible in Nebraska on paper only. In practice, few people realize they are pregnant before six weeks of gestation and fewer still would have financial, temporal, and logistical resources to obtain an abortion in whatever time remained before they reach the gestational cutoff. This ban is not intended to restrict abortion. It is intended to effectively eliminate it in practice. For this reason, I urge you to oppose LB781 and keep it off the floor of the Legislature so that Nebraskans can access the healthcare they deserve. Thank you for your time.

LATHROP: Thank you. Good evening. Welcome.

ASHLEY SCHMIDT: Welcome. Thank you. Yeah. My name is Ashley Schmidt, A-s-h-l-e-y S-c-h-m-i-d-t. I could talk as a healthcare worker. I could talk of a lot of things, but today I'm going to talk as a person with a uterus. This uterus and I have been through a lot together. I was only 15 years old the first time that I got pregnant and even though this uterus was in my body, it didn't know that on the outside I wasn't ready to be a mother. But nevertheless, I was pregnant and my boyfriend went to a Catholic school so we'll just get married and tell our parents. Well, you see, this was the time before Google and I was too afraid to ask Jeeves on the family computer, but I had seen my friend Kelly take three months worth of birth control pills during a pregnancy scare and my cousin take a bottle of vitamin C to end a pregnancy so I figured I could just do both. That night I was a scared child in the bathroom and I thought that I was going to die. Denying access to abortion does not end abortion. Denying access to abortion does not end abortion. It ends safe, safe and effective procedures done by doctors in medical settings. This leaves people turning to-- with unwanted pregnancies turning to their own devices, whatever remedies that they've read online or listening to what their friends will tell you; drink a cup full of bleach or any other dangerous means to end pregnancy. To go even more into my further experience as a person with a uterus, this is not the last time I have become pregnant. I would go on to become pregnant five additional times and not one of those times did I know before 49 days that I was pregnant, not once. As a, as a fact, most people don't know before 49 days that

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

they are pregnant. My hope in sharing these experiences with you is that you see me as a human being, as a mother, and knowing that I have four children that are beautiful and they're at home right now. I could not be the mother that I am today without finding that proper healthcare that I needed and I strongly, strongly encourage you to oppose this.

LATHROP: Thank you. Good evening.

JESSICA SCOTT: Good evening. My name is Jessica Scott, J-e-s-s-i-c-a S-c-o-t-t, and I'm a registered nurse here in Nebraska. I've worked in reproductive health throughout my entire medical career and have worked in abortion care over the last six years. My written testimony I submitted earlier talks a lot about my experiences working in medical care-- or in abortion care and I really encourage you to read that, but I'm gonna go a little different route this time. So I oppose LB781 and LB1086 because Nebraskans deserve the freedom to make the best decision for themselves and their families without political interference. This includes access to medical abortion, which I'll focus on. I'm going to talk a little about one personal reason that I support access and then one medical reason. Currently, I'm trying to get pregnant. Not really something that I, you know, want to tell an entire roomful of people, but here we are. So trying to get pregnant is scary and things can go wrong even when you're planning a pregnancy. I recently started seriously talking about leaving this state if abortion is banned or restricted because I want to have access to this medical care if I need it and this is showing my privilege. I can move if I have to, which is not a reality for most Nebraskans. Banning abortion disproportionately, disproportionately impacts low-income Nebraskans, rural Nebraskans, and Nebraskans of color, further exacerbating existing health inequality. So now let's jump into medication abortion safety. So I read the bill, LB1086, and I have some comments. One of the first things that the bill does is list possible abortion complications. And yeah, abortions can have complications, as does any medical procedure, but it is a safe medical procedure. As Dr. Turner said earlier, it's safer than a colonoscopy, which I will be getting when I turn 40. I urge you to look up your current medications. If we look at the side effects of the most prescribed medication in America, Atorvastatin or Lipitor, adverse effects include liver damage causing hepatitis, increase blood sugar leading to type 2 diabetes, neurological impacts, including memory loss, muscle pain, and damage, including rhabdomyolysis, which can lead to liver damage, kidney failure, and death, allergic reactions, endless severe side effects, including dizziness, insomnia, chest pain, peripheral edema, cramping, rashes, and erectile dysfunction. So

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

by the way, this information came from the Mayo Clinic and Davis Drug Guide. So all medications and procedures have side effects. If we compare the risks of continuing a pregnancy to term, it is much more dangerous than a medication abortion-- I don't have time to give you the stats, but trust me on that-- from the FDA and the Nebraska Maternal Morbidity and Mortality Report. So please--

LATHROP: OK.

JESSICA SCOTT: --oppose this bill. Thank you.

LATHROP: Thank you for your testimony, for being here tonight.

SHANNON WITHERSPOON: Good evening.

LATHROP: Good evening.

SHANNON WITHERSPOON: My name is Shannon Witherspoon, S-h-a-n-n-o-n W-i-t-h-e-r-s-p-o-o-n. My abortion came in the form of a D&C procedure and this is a story I never thought I would be compelled to share in a public forum on record, but LB781, LB1086, and LB933 have compelled me. I went in for a routine sonogram for a very wanted pregnancy, only to discover that I had lost the baby my then husband and I were excitedly anticipating. In the immediate midst of this heartbreak, I was informed that my body could take up to three months to naturally abort and eliminate the now dead fetus I was still carrying within me, which was in and of itself, very traumatic by the way. I was informed that I would begin to bleed unpredictably, could easily hemorrhage, and could have complications with infection, especially since I was over the ten-week mark. Given these frightening possibilities and the traumatic loss I was currently experiencing, I decided to opt for the medically controlled and safer D&C procedure. Once this decision was made, it couldn't happen fast enough. I wanted to start putting my reproductive health back on track and move forward with our family planning as soon as possible, as was my right. I cannot imagine if we didn't have that option or if we had to travel out of state to seek this procedure. We ultimately conceived a healthy pregnancy 15 days later, which was not recommended, but as a result of our anniversary. And it is now for my 14-year-old daughter and my 16-year-old son, who, by the way, has been taught that unwanted pregnancy is always the result of irresponsible male ejaculation, that I'm here today. Abortion is a medical procedure towards the condition of an unwanted or unviable pregnancy. Taking away a human's right to make personal decisions regarding their own bodily autonomy and agency is a dystopic abuse of power that has no place in a modern, pluralistic democracy. I

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

struggle to understand a meaningful difference between forced fertilization and forced pregnancy. I struggle to understand a meaningful difference between genocide and forced pregnancy. Either way, the value placed on individual human lives and the rights to make decisions about one's individual body and life are subject to state jurisdiction. This is an overreach of governmental power and has no place in a representative democracy. Reducing the number of people that find themselves in need of an abortion is a worthy societal goal. Banning reproductive healthcare clinics is not the way to accomplish this goal. Comprehensive, fact-based sexual education reduces unwanted pregnancies. Access to various forms of birth control reduces unwanted pregnancies. These are services provided by reproductive healthcare facilities. Creating bans or making access to these facilities less accessible only creates reproductive coercion. And by controlling the bodies of humans that gestate other humans, we construct a society or government, not individual control the means of reproduction. If Nebraska really stands for citizens' rights and individuals' freedom as Americans, then we will leave these personal major life decisions that immediately impact those directly involved. We don't--

LATHROP: Ms. Witherspoon, we got the red light.

SHANNON WITHERSPOON: OK. I urge you to stand in opposition to--

LATHROP: OK.

SHANNON WITHERSPOON: --all three bills.

LATHROP: We appreciate you being here tonight.

SHANNON WITHERSPOON: Thank you.

LATHROP: Thanks. Good evening.

CZARINA LIM: Good evening. My name is Czarina Lim, C-z-a-r-i-n-a L-i-m. I have lived in Nebraska my entire life, but this is only my second time at the Capitol. I was a very different person the first time I was here, as I was an elementary student growing up in an environment that groomed me to believe abortion is murder and immoral. Now, my experience as a women's health nurse like Jessica has turned me into an advocate for accessible and affordable abortion for all. I've worked in labor and delivery as well as prenatal care so I've seen firsthand the immense injustice that is unfortunately very present in our state's reproductive health systems. Let me recall my days in labor and delivery. Birthing babies is serious business. The never-ending twinkle of a lullaby that played throughout my hospital

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

every time a baby was born was adorable and exciting. But let me tell you seriously, not every single one of those parents felt lucky or blessed. For endless reasons, those pregnant people gave birth against their will. What are they supposed to do now with a whole other human to take care of when they themselves don't even want to be parents, or when they're trapped in abusive relationships, or they barely have the means to provide for themselves much less a newborn? As of right now, the state of Nebraska is definitely not providing even ample resources to build healthy, thriving families. Now to my prenatal clinic experience. I couldn't tell you how many patients I've had to break the unwelcome news that they are pregnant to. They have all had their reasons to seek out abortions. Some of them were teenagers, mothers who had already had children of their own that they wanted. As their healthcare provider, I supplied them with as much information as I could legally provide them about safe abortion access. These bills that you're trying to pass would make it infinitely harder for people to get the help and care that they need. Most of my patients came seeking care to me when they were 8 to 12 weeks along and one of your bills, as has been mentioned a few times tonight, will ban abortions past six weeks and that's just utterly ridiculous. So why can we not spend more time figuring out how to take care of our fellow Nebraskans who are already here and struggling instead of policing their bodies and reducing their autonomy to nothing? Abortion is healthcare, whether you like it or not, and I implore you to oppose all three of these bills. Thank you.

LATHROP: OK. Thank you for your-- being here tonight. Good evening.

HALLEY TAYLOR: Hello again. Hi. Hi, my name is Halley Taylor, H-a-l-l-e-y T-a-y-l-o-r. I did write something that I would like to submit to the record after I'm finished speaking if that's OK. I have noticed that as I've sat here for over four hours watching elected officials, they are either inactively listening, scrolling their phones, smiling at their text, scrolling some more. And I was a high school English teacher for ten years so I know the difference between actively working and using devices for social media. When each of you took an oath of office as elected officials for the state of Nebraska, you swore that you would serve as democratic representatives for our communities, not your personal religion, not your personal values, not on behalf of your personal campaign donors, not your back-door and public funders, not on behalf of your political affiliation. You represent us. We hired you. You work for us. The people of the state of Nebraska are here speaking directly to you. Please show them the common decency of putting your phones down. I understand the irony that I'm reading off of my phone at this moment. All power to all the

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

people. Humans with penises in the United States make decisions freely about their bodies. Humans with uteruses do not. The government has no place in a human's penis. The government has no place in a human's uterus. Similarly, senators, let me remind you that God, religion, and faith have no place in government. Abortions have been practiced since the beginning of time; first, with homeopathic and natural remedies found in herbs, plants, and fruits. Statistically speaking, if you know four people in your life with a uterus, you know at least one who has had an abortion. You love at least one who has had an abortion. Senators, hear this clearly. You are not pro-life for voting for these bills. You are not pro-life for reciting scripture from your holy texts or leading from your core personal beliefs. A person is pro-life if they fully support, promote, and fund public education with progressive sex education. A person is pro-life if they support affordable daycare, childcare, and preschool. You're pro-life if you support medical care for all, if you support accessible birth care--birth control, care, and medical support for people with uteruses. A person is pro-life if they support affordable housing for all. A person is pro-life if they support environmentally green policies and practices and an equitable living wage. You are not pro-life if you are voting for these bills. A person is pro-life if they fundamentally understand that a quality life is not a right exclusive for the wealthy, the white, the educated, the privileged, but a sacred right for all Nebraskans, all Americans. All. Thank you.

LATHROP: Good evening and welcome.

JADEN PERKINS: Good evening, Chairman Lathrop and members of the Legislative Judiciary Committee. My name is Jaden Perkins. I come to you today as an activist, community member, a strong defender of the autonomous rights of women and femmes across our state in bold opposition to LB781 and LB1086.

LATHROP: Can you spell your names for us?

JADEN PERKINS: Oh, J-a-d-e-n P-e-r-k-i-n-s.

LATHROP: OK.

JADEN PERKINS: During my senior year of high school, I got the chance to be on Planned Parenthood's teen counsel program. We were a group of teens who were trained to facilitate safe, healthy, and accurate reproductive health conversations in our communities. What we should be doing here this late on a Thursday night is testifying in support of bills that increase these types of opportunities for our community,

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

not restrict them. These extreme bills seek to do nothing but discriminately infringe fascistic government overreach upon individuals and their healthcare decisions at a time when thousands across our state are already losing or don't have access to vital healthcare as it is. Year after year, there are tons of attempts to restrict the women's right to choose, but there is never a bill to mandate vasectomies for men. If you don't get that now, you'll get it on the way home. It is my firm belief that you cannot be pro-life and say no to Medicare for all. You cannot be pro-life and say no to a living wage. You cannot be pro-life and say no to legalize marijuana. You cannot be pro-life and say no to affordable housing. You cannot be pro-life and say no to food stamps for working families and you cannot be pro-life and say no to police reform and voting rights. It's not pro-life, it's pro B.S. Abortion is a fundamental reproductive right for all and anyone, especially Senator Slama, Geist, and Albrecht, who says or votes otherwise is inherently, morally, and empirically wrong. I strongly urge you all to block these radical abortion bans from stepping foot out of this committee. Thank you.

LATHROP: Thank you and thanks for being here tonight. Good evening. Welcome.

NATALIA TU: Thank you. Good evening. My name is Natalia Tu, N-a-t-a-l-i-a T-u, and I'm a fellow at the Women's Fund of Omaha, but I'm here today testifying in opposition to LB781 and LB1086 in an individual capacity. I oppose both of these bills because they take away Nebraskans' rights to decide reproductive healthcare for ourselves and wrongfully places it in the hands of politicians instead. I graduated from college early last year and moved to Nebraska this past summer for a one-year fellowship at the Women's Fund. I'm lucky enough to have had the opportunity to grow professionally, cultivate relationships, and become more involved in the community in the short time I've been in Omaha. And now at the halfway point of my fellowship, I've been considering where I'd like to be at the end of this year and if I would like to stay in Nebraska. While my experiences here have been incredibly meaningful and impactful, I've also felt deep disappointment and frustration in regards to the, to the legislation introduced this session to, to restrict abortion care in Nebraska. The right to decide what is right for me and my body and my livelihood is of the utmost importance. And as a young person, this abortion ban has factored heavily into my reasoning for potentially leaving Nebraska at the end of this year. No one should ever have to worry about how to afford an abortion if they choose to terminate the pregnancy and no one should ever worry about where and how they will be able to obtain an abortion safely. Most

importantly, no one should ever have to worry if they even have the right to abortion care if they so choose. These bills are an infringement upon Nebraskans' right to decide whether-- what is right for our bodies on our terms. I don't want to have to be forced to seek appropriate healthcare in other states if I become pregnant and choose to have an abortion and I shouldn't have to fear how to safely obtain a healthcare procedure that should be offered to anyone who chooses to have it. I've come to love Nebraska in the short time I've been here and I would love nothing more than to stay at the end of my fellowship, but as much as I would like to proudly claim this state as home, I cannot consciously do so when my basic rights to reproductive choice are at stake. Thank you for your time and I strongly urge you to oppose both LB781 and LB1086.

LATHROP: OK. Thank you for your testimony. Next opponent. Good evening and welcome.

VICTORIA PLUM: Hello again. My name is Victoria Plum, spelled V-i-c-t-o-r-i-a P-l-u-m. I'm from Omaha and I'm speaking in opposition to LB781 and LB1086. I'm asking all of you vote against these bills. LB781, like everybody was saying, would essentially be on abortion about six weeks of pregnancy and that's before most women know they're pregnant. If a bill like this had been in place at the time I got an abortion, I most likely would not have been able to get one. I would have been turned away at the appointment in Omaha. I would have had to find another clinic out of state that could see me in order to get the abortion. I would have already taken time off of work in order to go to that first appointment that I got turned away from. I would have had to take more time off of work to travel out of state. I would have had to find money to pay for a hotel for at least one night, but potentially several nights. I would have had to pay for gas and/or a plane ticket to travel. And all of that's in addition to the expensive cost of having the procedure itself because my health insurance won't cover any of it and I would probably have to travel alone for all of this. So all these abortion bans would do is place huge burdens on women that need access to abortions and worst-case scenarios, force them to go through with unwanted pregnancies or turn to different types of legal procedures. I also don't think there should be any type of ban or any these other types of restrictions on medication abortion. When I had mine, it was during the height of the COVID-19 pandemic. I had to take several hours off from work for it. I couldn't bring anyone with me. I couldn't even have someone sit in the car with me and it was pretty difficult not having anybody there for support. The clinic was taking a lot of precautions for the pandemic, but there was still the added layer of stress because I could risk getting

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

COVID. It was before any vaccines had been developed. So if I would have been able to have that appointment by video visit, it would have been-- and, and get the medications through mail, it would have been-- made my experience much easier, safer, and a lot less stressful. If this Legislature really cares about women and has any interest in keeping women safe and respecting the personhood and rights of women, then you would vote to not pass these cruel bills. Thank you. Thank all of you so much for your time today.

LATHROP: Thank you for being here.

KACIE WARE: Am I allowed to take testimony for both of them individually?

LATHROP: Welcome.

KACIE WARE: Thank you. My name is Kacie Ware, K-a-c-i-e, Ware, W-a-r-e, and I am opposed to LB781 and LB1086. LB781 would restrict abortions to incredibly early after conception. I personally got an abortion in Nebraska when I was 16. My abortion was the culmination of years of abuse from a pedophile who began grooming me when I was 14. I was raped for the first time when I was 15. I believed he was using protection every time he raped me, but he wasn't. This is one of the many ways he failed out to look-- he failed to look out for my best interests. By the spring of my sophomore year of high school, I was pregnant. I knew immediately I did not want to be pregnant. I was a kid in high school who got straight A's and played sports. My dad was my math teacher. At the time, I also felt loyalty to my abuser. There was one simple answer: abortion. I was overheard talking about my dilemma and pottery class and was told to contact a lawyer who would help me access a judicial bypass, effectively emancipating me for the purposes of accessing abortion without parental notification. In order to obtain my abortion, I met with a lawyer and then next with a judge. And then after getting approval, I had to wait again until-- after the time I had to listen to the mandated phone call before accessing the abortion I needed. The proposed abortion ban after-- approximately six weeks from conception would effectively eliminate the judicial bypass process because the time frame is so unbelievable-- unbelievably unattainable. Without the option of judicial bypass, I would have had tried anything dangerous, life threatening or otherwise, to end my pregnancy. I needed safe access to abortion and the proposed ban would have eliminated that possibility for me. I urge you to vote against LB781 and LB1086.

LATHROP: OK. Thanks for being here and sharing that.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

SUSAN KIRCHMANN: Good evening.

LATHROP: Good evening.

SUSAN KIRCHMANN: May it please the committee. My name is Susan Kirchmann, S-u-s-a-n K-i-r-c-h-m-a-n-n, and for the record, I am here to testify against LB1086 and LB781. Before I start with my main point, I will just note that I am a voter. My husband is a voter. My parents live in District 32 with us. They are also voters and these bills have been politically easy to pass, but the turnout today should probably let you know that your electorate no longer has the patience to put up with the erasure of women's rights. You can no longer pander to religious extremists without political ramifications. Now, I have been a lawyer for 20 years so I want to make my lawyer point and then I'm done. I will point out in Section-- LB781 Section 5, it is a Class IIA felony to provide an abortion. In LB1086 Section 4 subsection (5), it is a Class IV felony to provide an abortion. And in LB1086 Section 6 subsection (6), it is a Class II misdemeanor to not provide follow-up care to a woman who received an abortion. If that isn't straight up misogyny, I don't know what is. If abortion is dangerous for women, then why would you not penalize doctors for not providing aftercare to these women? That tells me this bill hates women. Please do not support it. Thank you.

LATHROP: Thanks for being here. Any other opposition testimony on either of these bills? Seeing none, we will take neutral testimony if any. Neutral testimony, you may step forward. Good evening.

DAVID MILLER: Good evening, senators. Thank you all for being here and sticking around for the long session. We appreciate it. Members of the Judiciary Committee, my name is David Miller, spelled D-a-v-i-d M-i-l-l-e-r. I'm here as a neutral testifier to LB781 and LB1086. I do not agree with these bills, but I do want to express my thankfulness for the efforts of the senators who are behind them. Just like in the last bill there, I appreciate their efforts to help save little, innocent lives, even if I disagree with their methods. So I just want to make sure that I express that thankfulness here. Since my time is short, I'll get right into it. The overreaching reason I am opposed to these bills is because they are not just bills in God's eyes. They expressly allow for murder of some children. God allows-- shows us in the Bible that life begins at conception. See, for example, Psalm 22:10. Even our own Nebraska law says that a child is alive in her mother's womb, his or her mother's womb. See Nebraska Revised Statute 28-326. Law is supposed to be impartial. This is why Lady Justice has a blindfold on. She can't see who's being judged. She simply weighs

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

the objective facts of the case and makes a determination based off of those facts. And this is a good thing commanded by God in Leviticus 19:15. He says you shall do no injustice and judgment. You shall not be partial to the poor, nor honor the person of the mighty. In righteousness, you shall judge your neighbor. These bill, senators, are partial. They, in effect, say this child that meets these certain biological conditions may live, but this other child over here that does not meet these biological conditions may be murdered. This is not justice. Justice says no innocent child may be killed, born or preborn, with or without a heartbeat, conceived in rape or conceived in sacred marital union. If they have not committed a capital offense, their lives shall be defended just like any other human life. As I wrap up her-- wrap up here, senators, I want to thank you for your attentiveness and I want to remind you that God is watching our actions and he knows your hearts. He says in Ezekiel 22 that looks for a man to stand in the breach before him that he should not destroy the land. That is your job, to stand in the breach and God will hold you accountable to it both in this life and on judgment day. Thank you very much for your time. I appreciate it.

LATHROP: Thank you, Mr. Miller. Next neutral testifier. Good evening.

JEFFREY SPAHR: Good evening, senators. My name is Jeffrey, J-e-f-f-r-e-y, Spahr, S-p-a-h-r. I'm in opposition to LB1086 as written. Our government should establish just laws on the ultimate authority of God's word. That is why government was-- has regulated the distribution and the use of addictive, dangerous, and deadly drugs, as this protects the general welfare of the people. The issue with this bill is it establish an arbitrary timeframe in which an unborn child's life can be terminated and therefore, the law has become unjust. Another scriptural portion of justice is for the government to bear the sword on evildoers. Nebraska has many laws to provide punishment for breaking laws. One of these is the use of lethal injection as capital punishment for criminals who have committed a heinous crime such as murder. When these individuals are brought forth to the courts, a jury, a judge are used to determine if the individual is guilty and deserving of death row and then they may eventually face execution. This law has faced many challenges and currently is in limbo because pharmaceutical companies are not supplying the drugs. At the same time, you have companies bending over backwards to provide lethal chemicals so that mothers and doctors can be the jury, judge, and executioner of the unborn child who has committed no heinous crime and has not provided, provided the opportunity to please-- plead their case. So I come here today to plead the case of the voiceless, the vulnerable and my neighbor, the

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

unborn child. I asked the senators to take action to make Nebraska a true pro-life state and be the first in the nation that completely outlaws all abortion at the point of conception. One step in that process is amend this bill to prevent any distribution or use of drugs such as the abortion pill or chemicals used for the termination of a child. Thank you for your time.

LATHROP: OK. Thank you for being here tonight, your testimony. Anyone here testifying in a neutral capacity? Anyone else? Yeah, come on forward.

DAVID HANSEN: Good evening, senators. Thank you for making--

LATHROP: Good evening.

DAVID HANSEN: --the time. Appreciate it. My name is David Hansen, D-a-v-i-d H-a-n-s-e-n. I'm a Christian and an abolitionist. I am in-- my aim is to seek justice on behalf of thousands of innocent Nebraskans. I recognize that the intent behind this bill was well-meaning, but I am here to encourage opposition on the following grounds. The first is specific to LB781. One, it ignores how easily ultrasound images can be manipulated. As sonographer Sarah Cleveland testified quote, I can choose to take a picture of the pregnancy without showing a heartbeat, even if there is one, end quote. Two, it regards professional assassins as having trustworthy character. The following grounds then are specific to LB1086. It codifies into law the conditions under which drugs that kill preborn human beings can be prescribed. It says in Section 4 subsection (1) that a person shall not knowingly provide an abortion-inducing drug for the purpose of inducing an abortion and pregnant woman unless, end quote. Unless? We're talking about the killing of a child. Can anyone imagine passing a law that says no man shall sexually assault a woman unless? Surely this is repugnant even to consider, but are we not also speaking of the violation of human being's body, the taking of an innocent life who has not even been born yet? Hear the word of God. Quote, it is not good to be partial to the wicked or to deprive the righteous of justice, end quote. I am also an opposition to all three bills today for ten reasons. They are before you and part of the hearing record. I would like to focus on just one for the remainder of the time. It's number four. These delay abolition of abortion through an unknown number of possible increments while entrenching the idea that half-measures are just measures and encouraging complacency in the midst of great evil. While we delay, we not only consign more innocents to death, but we provide to the judgment of God. The Lord says that he hates the hands that shed innocent blood and when the

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

land becomes polluted with the blood of innocent children, the Lord's anger becomes kindled. Our cause must be urgent for our neighbors, for our state, for our nation. If the blood of a single murdered innocent cried out to God from the ground, what must the cry be like now? Please replace this bill with a bill to abolish abortion. Thank you for your time.

LATHROP: OK.

DAVID SPLONSKOWSKI: Can you remind me of the time?

LATHROP: Pardon me?

DAVID SPLONSKOWSKI: Can you remind me of the time allotted?

JOSH HENNINGSON: Two minutes.

LATHROP: Two minutes. That-- you'll get a green light for a minute, a yellow light for a minute, and then it will go red.

DAVID SPLONSKOWSKI: OK, thank you. I do not anticipate that it would be considered neutral, what I'm going to say tonight. But so many of the circumstances shared by many are heartbreaking, but I don't think it diminishes the unborn life that is in, in the womb. I am David Splonskowski, D-a-v-i-d S-p-l-o-n-s-k-o-w-s-k-i, and I'm in opposition to LB781. I know the intentions are good, but I believe this is a incremental approach that still leaves too many unborn children vulnerable. I ask you, is the Supreme Court the ultimate arbiter of right and wrong? Does its moral authority cede that of God, the almighty? The Constitution reinforces responsibility of the states to protect the sanctity of life and every person in the words of the Fourteenth Amendment. Are we not bound to protect the innocent under the equal protection clause enshrined in the Nebraska and U.S. Constitutions? Well, if you all agree that human life is worthy of legal protection and since an unborn baby is human life, it is therefore worthy of that legal protection. I ask equal protection for whom? Just those who can feel pain, just those who have a heartbeat, just those who are able to contribute to society? God draws no arbitrary distinction when he declares that mankind is made in his image, that he knit us together in our mother's womb and ordains all of our days before one of them comes to being. Are we going to continue to lament the babies killed by pills and mutilation in this state and yet say our hands are tied because the Supreme Court has ruled from its throne on high? Where do people learn that it's acceptable to murder babies as long as they don't feel pain? They

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

learned from pro-life bills like the Abortion Pain Prevention Act passed in Nebraska. Where do people get the idea that's it's acceptable to murder as long as the child doesn't have a heartbeat? They learn from the Heartbeat Act. Instead of eliminating abortion, we reinforce Roe v. Wade by writing provisions into our law about when and how it is legal to murder innocent children. The only consistent God-honoring position on the murder of unborn children is complete abolition. LB781 perpetuates the lie that we must bow down in subjection to the scene of the Supreme Court. I call on Senator Slama and the rest of the senators of committee to amend this legislation to immediately abolish all abortions starting at conception in order to speak for those who cannot speak for themselves.

LATHROP: OK. Thanks for being here. Is anyone else here to testify neutral? OK. Good evening.

JARROD RIDGE: Good evening. My name is Jerrod Ridge, J-a-r-r-o-d R-i-d-g-e, and I am here representing End Abortion Now in Nebraska and I am not neutral, but in opposed these bills as they are stated. When you said neutral earlier, Senator Lathrop, I recognize-- I have a hard time with that because--

LATHROP: It's a little bit of a weird, weird category.

JARROD RIDGE: It is.

LATHROP: We'll accept that it is.

JARROD RIDGE: Yeah, no, that's fine because there's really no neutrality in life and that's the reality of where we're sitting with these bills. We're either for life or we're for abortion. You can't have it both ways. And in this particular bill, we're saying that sometimes it's OK to kill babies. We're saying as long as we can't hear a heartbeat, we can kill babies. And so the, the, the myth of neutrality is exactly that, it's a myth. We're either for or we're against. We're either for the Kingdom of Heaven or we're for this world and the lust thereof. So as I look at these bills, LB781 and LB1086, I am thankful that there are people who are desiring to see life preserved. My recommendation in these would be that we make them much tighter, that we hold them to from conception until death, that equal protection is put forth in all cases, that as we look at bills, that we say, all right, do they agree with the God who created this universe and all that is in it and that governs the affairs of men? Is it immediately being acted on? So if we're delaying justice, we're delaying justice and that is iniquitous. Are there exceptions? Are we

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee February 24, 2022

making exemptions for people to do things that are not lawful? And in this case, we are. Are we ignoring Roe or are we bowing the knee to a federal judiciary that does not have the power to legislate? You all have the power to legislate in the state of Nebraska. And is it equal protection? Are we caring about both the mother and the child? Because they are both equal in God's eyes. That's all I have to say. Thank you very much.

LATHROP: OK. Thank you to-- anyone else here to testify? So I want to thank everyone for sticking it out and waiting until almost a quarter of eight to, to testify and to participate in an important process and for the fact that this hearing and these hearings were done in a very respectful way, knowing-- given how much and how strongly people feel about that issue on both sides of it. And with that, Senator Slama, we'll have you up to close. Senator Slama waives a close. Before we close on her bill though, the record will reflect that we have position letters on LB781. We have 104 proponents and 97 opponents and 1 in the neutral. And Senator Geist, do you wish to close?

GEIST: I just want to say thank you all for testifying and sticking it out. Whether you're for, against, neutral, we appreciate you being here.

LATHROP: And before we close on Senator Geist's bill, the record will reflect that we do have position letters on LB1086; 90-- or, pardon me, 83 that are proponents, 72 that are opponents, and zero in the neutral capacity.

GEIST: And I thank my committee as well.

LATHROP: Absolutely. Thank you.