

TESTIMONY REGARDING SB 161 (Sen. Ben Nevers)
(to ban/criminalize partial-birth abortion in Louisiana)

(In House Committee on Administration of Criminal Justice, June 20, 2007)

Good Morning, Mr. Chairman and Committee Members!

My name is Dr. W.A. Krotoski; I am a physician and retired medical scientist, having lived in Louisiana since 1974, and in Baton Rouge since 1982. Currently, I serve on the Medical Research Ethics Board of Baton Rouge General Medical Center, and am representing *The Hippocratic Resource*, a Louisiana-wide organization of physicians and other health professionals who have committed to practicing and promoting the principles of the Hippocratic Oath, the foundation of medical ethics. I am testifying today *in favor* of Senator Nevers' SB 161 for several reasons:

First – There is absolutely no rational, scientific, medical or ethical reason to think that the unborn child is anything but human throughout his or her 9-month developmental period in the womb. This is *fully* supported by *in vitro* fertilization and DNA technologies, and by the relatively new medical specialties of fetology and neonatology that treat our children even before birth. Moreover obstetricians are taught that, when attending a pregnant woman, they have responsibility for two patients – or more, in the case of twins or triplets, etc. With all of this, **the initial legalization of abortion at any stage was effected, simply said, through many deliberate misrepresentations of the biologic facts regarding early human life and its development in the womb.** Many of the same, false reasons are still used to support it today.

Second – Partial-birth abortion involves the brutal killing of the child during delivery, while he or she is still in the birth canal. The procedure is so gruesome that I hesitate to describe it, but feel that I must, as delicately as possible, and with your permission. After manually turning the unborn child from his or her normal, head-over-heels delivery position in the womb, the abortionist grasps a foot, and begins the delivery in the breech/footling position; this is actually a more dangerous position for the mother. When the child is fully outside the womb, but with head still within the birth canal – literally inches from full delivery – the abortionist jams an instrument, usually surgical scissors, into the back of his or her head, and moves the points around to help destroy the physical integrity of the brain and kill the child. He or she then inserts a suction catheter through the hole, sucks out the brain, and finally delivers the dead body. **Not surprisingly, the procedure was labeled “gruesome, brutal, barbaric, and uncivilized” by a federal judge in New York, and as “4/5 infanticide, 1/5 abortion,” by the National Conference of Catholic Bishops, even before constitutional challenges to a federal ban on the procedure were overturned by the U.S. Supreme Court this last April 18th.** [I have provided *verbatim* copies of the Court's findings with this testimony].

Third – The partial-birth abortion procedure was declared “never necessary” by the American Medical Association, and is never justified to preserve a woman's life or health. In fact, it can be distinctly harmful to the mother, causing her significant health problems. The principal ones of these are trauma to the interior of the uterus, production of an incompetent cervix – with a resultant doubling of premature deliveries of babies conceived later – and a risk of severe bleeding. And these are *in addition* to all the other harmful consequences of abortion, which include both mental and physical problems, and even death. The suicide rate alone is at least 6 times greater in women who are aborted, compared to women who choose to deliver their babies alive.

Fourth, this type of procedure is *clearly* against the Hippocratic Oath, the basis of medical ethics. I would like to quote pertinent fragments from just two versions of that Oath:

The National Catholic Bioethics Center's 1995 version stated

“I will maintain the utmost respect for every human life from fertilization to natural death, and reject abortion that deliberately takes a unique human life.”

The Louisiana Medical Society's current version states:

“To please no one will I prescribe a deadly drug, nor give advice which may cause death. Nor will I give a woman a[n instrument] to produce abortion.”

In the case of partial-birth abortion, not only is the mother's health put at risk, but the child being born is most brutally put to death by the procedure. **This makes the licensed abortionist an *unethical* physician, at the very best.**

Finally, due to poor abortion reporting in our state, it is unclear exactly how many are done by the partial-birth method. However, according to official Louisiana Department of Health and Hospital statistics, during the 4-year period from 2001 through 2004, 3,116 unborn children over 4 months of gestational age were aborted. Among these, 1,265 were over 5 months' gestational age, i.e. after “quickening” or when the baby has started to kick, and when the partial-birth method becomes the most *convenient* for the abortionist to use. A total of *at least* 1,037 late-term Louisiana children were aborted by the “Dilatation and Evacuation” or “D & E” procedure, of which one variant is partial-birth abortion. At current abortion prices at one abortion facility in Metairie, of \$750 for a 16-17 week-old unborn child, through \$1,680 for one over 23 weeks, it can be estimated that over \$3,000,000 changed hands for these 3,116 deaths, of the order of \$1,500,000 of which was for partial-birth abortion. This paid brutality should be completely unacceptable in our State!

On the basis of all the above, we thank you for your attention, and urge a strong vote in favor of SB 161

What the U.S. Supreme Court banned is described in the following verbatim extracts from its *Gonzales vs. Carhart* decision of April 18, 2007:

*“ In the usual intact D&E the fetus’ head lodges in the cervix, and dilation is insufficient to allow it to pass. ... Haskell explained the next step as follows: “At this point, the right-handed surgeon slides the fingers of the left [hand] along the back of the fetus and “hooks” the shoulders of the fetus with the index and ring fingers (palm down). “While maintaining this tension, lifting the cervix and applying traction to the shoulders with the fingers of the left hand, the surgeon takes a pair of blunt curved Metzenbaum scissors in the right hand. He carefully advances the tip, curved down, along the spine and under his middle finger until he feels it contact the base of the skull under the tip of his middle finger. “[T]he surgeon then forces the scissors into the base of the skull or into the foramen magnum. Having safely entered the skull, he spreads the scissors to enlarge the opening. “The surgeon removes the scissors and introduces a suction catheter into this hole and evacuates the skull contents. With the catheter still in place, he applies traction to the fetus, removing it completely from the patient.” H. R. Rep. No. 108–58, p. 3 (2003). **The above is an abortion[ist’s]...clinical description.***

Here is an immediately-following description from a nurse who witnessed the same method performed on a 26½-week fetus, and who testified before the U.S. Senate Judiciary Committee [also a verbatim excerpt from *Gonzales vs. Carhart*]:

“Dr. Haskell went in with forceps and grabbed the baby’s legs and pulled them down into the birth canal. Then he delivered the baby’s body and the arms—everything but the head. The doctor kept the head right inside the uterus.... “The baby’s little fingers were clasping and unclasping, and his little feet were kicking. Then the doctor stuck the scissors in the back of his head, and the baby’s arms jerked out, like a startle reaction, like a flinch, like a baby does when he thinks he is going to fall. “The doctor opened up the scissors, stuck a high-powered suction tube into the opening, and sucked the baby’s brains out. Now the baby went completely limp.... “He cut the umbilical cord and delivered the placenta. He threw the baby in a pan, along with the placenta and the instruments he had just used.”