

Statement by Amy O'Donnell

Hello, I am Amy O'Donnell, the Communications Director for Texas Alliance for Life. We are here today because we support Texas pro-life laws, and we believe the pre-Roe laws, Texas Heartbeat Act, and Human Life Protection Act provide an adequate exception for physicians in Texas to offer life-saving procedures for pregnant women, consistent with the medical standard of care.

Unfortunately, the New York-based Center for Reproductive Rights is seeking to expand abortion access in Texas at the expense of unborn babies' lives while using the signatures and stories of women who tragically lost their babies due to either doctors being confused about the clearness of the medical exception language in Texas' pro-life laws or due to fatal diagnoses for the unborn babies. The lawsuit seeks to significantly expand the reasons to allow abortions in our state, putting the lives of thousands of unborn babies at risk every year.

First, it's important to note that there is no right to abortion in the Texas Constitution. Our organization facilitated the friend of the court brief, joined by a majority of the members of the Texas Legislature – 10 senators and 82 representatives.

Second, the Court should uphold the laws that the Legislature has passed, and protections for unborn babies should continue. This includes babies with a disability or fatal diagnosis in utero. All babies have value and are worthy of protection regardless of disability or terminal diagnosis.

Lastly, nothing in Texas law requires a woman's death to be imminent or her unborn baby's heart to stop beating before a doctor can intervene to save a woman's life. In particular, the Human Life Protection Act, passed by the Legislature as HB 1280 in 2021, completely protects unborn babies from abortion beginning at conception while allowing for abortions performed when, in "reasonable medical judgment, the pregnant female . . . has a life-threatening physical condition . . . that places the female at risk of death or poses a serious risk of substantial impairment of a major bodily function . . ." This is the same language that has been in law since 2013.

Texas' current pro-life laws, including the Human Life Protection Act, have caused reported elective abortions in Texas to plummet from thousands per month to zero, according to reports from the Texas Health and Human Services Commission. At the same time, from August 2022 to June 2023, there were 44 abortions performed "due to medical emergency" and "to preserve [the] health of [the] woman," according to Texas' latest Induced Termination Of Pregnancy reports from the Texas Health and Human Services Commission. No doctor has been prosecuted or disciplined related to any of these cases.

###