



**Written Testimony of Catherine Glenn Foster, Esq.  
President & CEO, Americans United for Life  
On H. 1335, Relating to Parental Consent to Obtain an Abortion  
Submitted to the House Health Quality Subcommittee  
March 19, 2019**

Dear Chair Burton and Members of the Committee:

My name is Catherine Glenn Foster, and I serve as President and CEO of Americans United for Life (AUL), America's oldest and most active pro-life nonprofit advocacy organization. Founded in 1971, two years before the Supreme Court's decision in *Roe v. Wade*, AUL has dedicated nearly 50 years to advocating for comprehensive legal protections for human life from conception to natural death.

I write to strongly support House Bill 1335, which would protect young girls and their parents as they consider the life-altering decision whether to obtain an abortion. This legislation is well-considered and constitutional under the federal and State constitutions, and I urge you to approve its passage to the full House.

***Parental Consent Laws Protect Young Mothers from Exploitation and Harm***

I was 15, afraid, ashamed and I felt like I had no choice. . . .The abortion caused me emotional, physical, and spiritual harm that I was never told could or would result. I was never given a pregnancy test, told about the procedure or told the real truth about abortion: risks such as death, breast cancer, endometriosis, and infertility. . . . No one was there to hold my hand. . . . They took my money and my baby! . . . I was distant and empty and contemplated suicide. . . . We never told our parents. . . . I could not forgive myself. I was NEVER able to conceive a child after my abortion and I am 50 years old now. The pain is still there. Abortion scarred me!" – Nicole Peck, Connecticut.<sup>1</sup>

Unfortunately, the testimony above is not unique. In those states that do not have laws requiring parental involvement in a minor's abortion decision, abortion providers perform abortions every day without adequately and accurately informing minors about the short-term and long-term risks. In fact, the medical, emotional, and psychological consequences of abortion are often serious and can be lasting, particularly when the patient is immature. Parental consent is critical, given that parents usually possess information essential to a physician's exercise of his or her best medical judgment concerning the minor. And parents who are aware that their daughter has had an abortion may better ensure the best post-abortion medical attention.

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<sup>1</sup> Silent No More Awareness, Testimonies, available at <http://www.silentnomoreawareness.org/testimonies/testimony.aspx?ID=2915>.

Further, minors who obtain “secret” abortions often do so at the behest of the older men who impregnated them and then return to abusive situations. News stories frequently reveal yet another teen who has tragically been sexually abused by a person in authority: a coach, a teacher, or another authority figure. And teens are routinely taken to abortion clinics without the consent or even the knowledge of their parents. Minors are at risk in every state in which parental involvement laws have not been enacted or are easily circumvented.

Importantly, parental involvement laws also save the lives of unborn babies by reducing the demand for abortions by minors. For example, a 1996 study revealed that “parental involvement laws appear to decrease minors’ demands for abortion by 13 to 25 percent.”<sup>2</sup> A 2008 study showed that parental consent laws reduce the minor abortion rate by 18.7 percent.<sup>3</sup> With the loving support of their parents, many young women are able to bring their babies into the world and not face the physical risks and emotional devastation that abortions can bring.

### ***Parental Involvement Laws Are Constitutionally Acceptable***

The U.S. Supreme Court has reviewed statutes requiring parental consent or notification before a minor may obtain an abortion on 11 occasions.<sup>4</sup> The Court’s decisions in these cases provide state legislators with concrete guidelines on how to draft parental involvement laws that will be upheld by the courts. Based upon Supreme Court precedent and subsequent lower federal court decisions, a parental consent law is constitutional and does not place an undue burden on minors if it contains the following provisions:

- No physician may perform an abortion upon a minor or incompetent person unless the physician has the consent of one parent or legal guardian.
- An exception to the consent requirement exists when there is a medical emergency.

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<sup>2</sup> D. Haas-Wilson, *The Impact of State Abortion Restrictions on Minors' Demand for Abortions*, J. Human Resources 31(1):140, 155 (1996).

<sup>3</sup> Michael J. New, *The Effect of Parental Involvement Laws on the Incidence of Abortion Among Minors*, INSIGHT 16-18 (Sept 24, 2008).

<sup>4</sup> *Bellotti v. Baird (Bellotti I)*, 428 U.S. 132 (1976); *Planned Parenthood v. Danforth*, 428 U.S. 52 (1976); *Bellotti v. Baird (Bellotti II)*, 443 U.S. 622 (1979); *H.L. v. Matheson*, 450 U.S. 398 (1981); *City of Akron v. Akron Center for Reproductive Health (Akron I)*, 462 U.S. 416 (1983); *Planned Parenthood v. Ashcroft*, 462 U.S. 476 (1983); *Hodgson v. Minnesota*, 497 U.S. 417 (1990); *Ohio v. Akron Center for Reproductive Health (Akron II)*, 497 U.S. 502 (1990); *Planned Parenthood v. Casey*, 505 U.S. 833 (1992); *Lambert v. Wicklund*, 520 U.S. 292 (1997); *Ayotte v. Planned Parenthood*, 546 U.S. 320 (2006).

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- A minor may bypass the requirement through the courts (i.e., the law provides for judicial waiver or bypass).

H. 1335 easily passes muster under these requirements. Parental consent laws protect the health and welfare of minors, as well as foster family unity and protect the constitutional rights of parents to rear their children. Today, I strongly encourage this Committee to protect young women and the parents who care about their lives and health, and pass H. 1335. Thank you.

Sincerely,



Catherine Glenn Foster  
President and CEO  
Americans United for Life