



**Members of the House of Delegates
West Virginia Legislature
86th Legislature
Re: Senate Bill 468**

March 7, 2024

Dear Speaker Hanshaw,

My name is Danielle Pimentel, and I serve as Policy Counsel at Americans United for Life (“AUL”). Established in 1971, AUL is a national law and policy nonprofit organization with a specialization in abortion, end-of-life issues, and bioethics law. AUL publishes pro-life model legislation and policy guides,¹ tracks state bioethics legislation,² and regularly testifies on pro-life legislation in Congress and the states. Our vision at AUL is to strive for a world where everyone is welcomed in life and protected in law. As Policy Counsel, I specialize in life-related legislation, constitutional law, and abortion jurisprudence.

I write to encourage you to take up and pass Senate Bill 468, which ensures that West Virginia public school students are receiving necessary education on human growth and development. For the reasons stated in this letter, we urge your support of Senate Bill 468.

I. This Bill Furthers West Virginia’s Interest to Protect Maternal Health and Safety of Adolescent Girls

Unfortunately, American children know very little about pregnancy and human development inside of the womb. This is important biological information that children

¹*Pro-Life Model Legislation and Guides*, AMS. UNITED FOR LIFE, <https://aul.org/law-and-policy/> (last visited Feb. 4, 2024). AUL is the original drafter of many of the hundreds of pro-life bills enacted in the States in recent years. See Olga Khazan, *Planning the End of Abortion*, ATLANTIC (July 16, 2020), www.theatlantic.com/politics/archive/2015/07/what-pro-life-activists-really-want/398297/ (“State legislatures have enacted a slew of abortion restrictions in recent years. Americans United for Life wrote most of them.”); see also Anne Ryman & Matt Wynn, *For Anti-Abortion Activists, Success of ‘Heartbeat’ Bills was 10 Years in the Making*, CTR. PUB. INTEGRITY (Jun. 20, 2019), <https://publicintegrity.org/politics/state-politics/copy-paste-legislate/for-anti-abortion-activists-success-of-heartbeat-bills-was-10-years-in-the-making/> (“The USA TODAY/Arizona Republic analysis found Americans United for Life was behind the bulk of the more than 400 copycat [anti-]abortion bills introduced in 41 states.”).

² *Defending Life: State Legislation Tracker*, AMS. UNITED FOR LIFE, <https://aul.org/law-and-policy/state-legislation-tracker/> (last visited Feb. 13, 2024).

should know, especially with the rates of adolescent pregnancies³ and the fact that adolescent girls have high risk pregnancies and often delay prenatal care.

“Adolescence is a critical period marking phenomenal changes including rapid physical, psychosocial, sexual and cognitive maturation, and nutrient needs of adolescents are higher than at any other stage in the lifecycle.”⁴ During pregnancy, “adolescent girls are a particularly vulnerable group since the demands of regular growth and development are augmented by the heightened nutritional requirements of supporting a fetus.”⁵ Due to adolescent patients’ developing bodies, they have a “biological predisposition for high-risk pregnancies.”⁶ The high-risk nature of adolescent pregnancy is compounded by the fact that pregnant adolescent patients often delay care.⁷ There are multiple reasons adolescent patients delay care, including:

lack of knowledge about the importance of prenatal care and lack of understanding of the consequences of its absence; history as a victim of violence, desire to hide pregnancy, fear of potential apprehension of the baby, contemplation of abortion services; concerns about lack of privacy or judgemental attitudes from health care providers or adults; and financial barriers.⁸

Unfortunately, “[l]ack of, or delayed, adolescent prenatal care is associated with adverse maternal, obstetrical, and neonatal outcomes.”⁹

Because of the high-risk nature of adolescent pregnancies and the likelihood of pregnant girls experiencing adverse maternal outcomes as a result, it is important that students are taught the biological realities of pregnancy. In doing so, pregnant girls will be empowered to seek medical attention sooner rather than delay prenatal care, which will lower their health risks and complication rates.

In the end, this bill will further many important state interests, including West Virginia’s interest in protecting the maternal welfare of its residents. This includes the health and safety of pregnant adolescent girls. Today, you have the opportunity to further West

³ In 2020, pregnant teenagers between the ages of 15 and 19 gave birth to 158,043 children. *Trends in Teen Pregnancy and Childbearing*, OASH, [https://opa.hhs.gov/adolescent-health/reproductive-health-and-teen-pregnancy/trends-teen-pregnancy-and-childbearing#:~:text=In%202020%2C%20the%20teen%20birth,the%201991%20peak%20of%2061.8.&text=There%20were%20158%2C043%20births%20to,of%20all%20births%20in%202020,\(last visited 3/7/2024\); see also Brady E. Hamilton, et al., *NVSS Vital Statistics Rapid Release: Births: Provisional Data for 2022*, CDC \(June 2023\), <https://www.cdc.gov/nchs/data/vsrr/vsrr028.pdf> \(finding that the birth rate in 2022 for teenagers aged 15 to 19 was 13.5 births per 1,000 females\).](https://opa.hhs.gov/adolescent-health/reproductive-health-and-teen-pregnancy/trends-teen-pregnancy-and-childbearing#:~:text=In%202020%2C%20the%20teen%20birth,the%201991%20peak%20of%2061.8.&text=There%20were%20158%2C043%20births%20to,of%20all%20births%20in%202020,(last%20visited%203%2F%2024);%20see%20also%20Brady%20E.%20Hamilton,%20et%20al.,%20NVSS%20Vital%20Statistics%20Rapid%20Release%20Births%20Provisional%20Data%20for%202022,CDC%20(June%202023),%20https%3A%2F%2Fwww.cdc.gov%2Fnchs%2Fdata%2Fvsrr%2Fvsrr028.pdf)

⁴ Nadia Akseer et al., *Characteristics and Birth Outcomes of Pregnant Adolescents Compared to Older Women: An Analysis of Individual Level Data from 140,000 Mothers from 20 RCTs*, *ECLINICALMED.*, Feb. 26, 2022, at 1, 3.

⁵ *Id.*

⁶ *Id.* at 12.

⁷ Nathalie Fleming et al., *Adolescent Pregnancy Guidelines*, 37 *J. OBSTETRICS & GYNAECOLOGY CAN.* 740, 743 (2015).

⁸ *Id.*

⁹ *Id.*

Virginia's interest in protecting the welfare of pregnant girls in your state by supporting Senate Bill 468.

II. The Bill Ensures that Students Watch Educational Videos that are Scientifically Accurate and Approved by Medical Experts

It is important to note that the *Meet Baby Olivia* (*Baby Olivia*) video does not mandate specific teachings on sex, nor does it discuss sex, abortion, or alternatives to abortion. It simply provides students with basic facts about human development in utero. Educating our children on the truth and realities of fetal development in the womb is critical to their decision making both as adolescents and adults. With the advent of ultrasound, the development of a human child in utero is no longer a mysterious or inaccessible process. Yet, it is unlikely that an individual, especially if they are a teenager or adolescent, will encounter such information until they or their partner have become pregnant, which is late in time to gain this knowledge.

The reality is that:

1. A complete, genetically unique (except for monozygotic twins) individual member of the species *homo sapiens* begins at conception;
2. Between five (5) and six (6) weeks' gestation, the preborn human being's heart begins beating;
3. The preborn human being begins to move about in the womb at approximately eight (8) weeks' gestation;
4. At about nine (9) weeks' gestation, all basic physiological functions are present. Teeth and eyes are present, as well as external genitalia;
5. A human being's vital organs begin to function at approximately ten (10) weeks' gestation. Hair, fingernails, and toenails begin to form;
6. At eleven (11) weeks' gestation, the preborn human's diaphragm is developing, and he or she may even hiccup. He or she is beginning to move about freely in the womb;
7. At twelve (12) weeks' gestation, the preborn human being can open and close his or her fingers. He or she starts to make sucking motions, and senses stimulation from the world outside the womb.

These are just some of the amazing developmental stages that human life takes at its earliest forms.

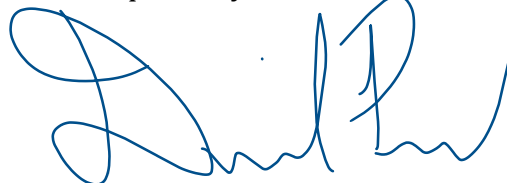
Senate Bill 468 ensures that both an ultrasound video showing the development of vital organs in early fetal development and the *Baby Olivia* video are shown to students, which will illustrate these biological realities. Specifically, many of the developmental facts shared in the *Baby Olivia* video are sourced from the Endowment for Human Development

(EHD). Per EHD's website, "[t]he Endowment of Human Development [] is a nonprofit organization dedicated to improving health science education and public health. . . . We are committed to neutrality regarding all controversial bioethical issues."¹⁰ The website also states that EHD's "board of directors, board of advisors, staff, and volunteers includes accomplished educators, researchers, authors, programmers, and clinicians from a variety of scientific and business disciplines who share the common goal of improving lifelong health through prenatal development-based education."¹¹ The *Baby Olivia* video was also made in collaboration of medical doctors and experts in embryonic and fetal development, all of whom endorsed the project. Thus, the bill ensures that students are watching videos that are scientifically accurate as to human growth and development in the woman.

Ultimately, the education this bill ensures has the potential to do in the mind of West Virginia's youth what the ultrasound has done for expecting mothers – give a clear and truthful image of the child in the womb. This lays the foundation for making informed decisions about whether to pursue having a child and how to understand and care for a child should there be one in the womb.

For these reasons, I urge you to take up and pass Senate Bill 468.

Respectfully Submitted,



Danielle Pimentel
Policy Counsel
AMERICANS UNITED FOR LIFE

¹⁰ *About Us*, EHD, <https://www.ehd.org/about-us.php>, (last visited Mar. 7, 2024).

¹¹ *Id.*