

Criminal Justice Issues and Prisoners' Rights

<https://www.acluohio.org/en/news/senate-bill-27-opponent-testimony>

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[Skip to main content](#)

Below is our Chief Lobbyist Gary Daniels' opponent testimony on Senate Bill 27. This was delivered to the House Civil Justice Committee on December 3, 2020.

To Chairman Hambley, Vice Chair Patton, Ranking Member Brown, and members of the House Civil Justice Committee, thank you for this opportunity to present opponent testimony on Senate Bill 27.

In short, the ACLU of Ohio opposes SB 27 because it serves no legitimate medical purpose and is an obvious attempt to inconvenience patients, shut down abortion providers, and imprison doctors who do not comply with the numerous nonsensical regulations found in this bill.

The first indication SB 27 is nothing more than legislative harassment is its application to only embryonic and fetal - and, inexplicably, even cellular - tissue for surgical abortions and not those from medical abortions, miscarriages, or stillbirths. It also does not apply to embryos disposed of by fertility clinics.

Additional embryonic and fetal tissue not deemed worthy of such concern include that from miscarriages in Ohio prisons and state medical facilities. Our understanding is that tissue is autoclaved and the resulting ash is buried, the exact method deemed inhumane when Ohio abortion clinics utilize it.

And yet, here we have a bill that targets *only* abortion providers and their practices while totally ignoring all similar, if not identical, practices around Ohio, including when the State of Ohio itself utilizes the same methods.

Drawing such distinctions makes no logical sense when examined in light of the alleged purpose, as stated by proponents of SB 27 - to "honor the unborn."

Of course, this is not a suggestion to expand SB 27 to include these numerous other circumstances. But the fact it is written to exclude all other embryonic and fetal tissue exposes supporters' true intentions and does not fool Ohioans.

SB 27 also requires abortion providers to pay for the cost of cremation or internment of fetal tissue. Naturally, this will drive up the costs of obtaining abortions, as supporters fully understand and intend. This is but one of a litany of other requirements found in SB 27 meant to further harass providers and increase the costs to access abortion care.

Finally, it is worth pointing out SB 27 may be passed and enacted during the same legislative session this body voted to essentially ban all abortion (Sub. Senate Bill 23) via the so-called "Heartbeat Bill." SB 27 is the subject of current litigation. It would appear prudent to wait for the results of that lawsuit before embarking on additional restrictions. But, we know SB 27 is not about what is, or is not, good policy.

SB 27 is yet another hurdle, yet another expense, yet another attempt to shame those who seek abortions despite the fact the Ohio Department of Health and the Attorney General discovered zero wrongdoing with regard to how Ohio abortion facilities dispose of embryonic and fetal tissue.

The ACLU of Ohio urges wholesale rejection by this committee of the unconstitutional and thoroughly unnecessary Senate Bill 27.

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