

April 11, 2019

To: Montana House Judiciary Committee

From: Matthew Brower, Executive Director of the Montana Catholic Conference

Re: Testimony in support of SB 354

Mr. Chairman and members of the committee, my name is Matt Brower [B R O W E R] and I currently serve as the Executive Director of the Montana Catholic Conference. I speak today on behalf of the Roman Catholic bishops of Montana.

I am here today to voice our strong support for Senate Bill 354.

The Roman Catholic Church consistently affirms the inherent dignity of the human person and the sacredness of every human life from the moment of conception through natural death. This foundational principle must serve as the bedrock of every just and moral society.

This recognition of the inherent dignity enjoyed by all persons informs our understanding of the basic rights and protections to which all human beings ought to be entitled. Children born alive following an attempted abortion are among the most vulnerable and voiceless members of the human family and they deserve legal protection of the highest degree.

While it is true that live births following an abortion are likely relatively rare, they do happen and the decisions exercised by abortion providers in these situations affect numerous children across the country every year.

Senate Bill 354 reiterates the law as stated in the Born-Alive Infants Protection Act passed by Congress in 2002—that a newborn, regardless of the circumstances of his or her birth is to be legally recognized as a person from the moment of birth if the infant shows any sign of life. Regrettably, the 2002 law passed by Congress failed to provide specific measures for enforcing protection of these vulnerable infants. Senate Bill 354 helps to rectify this by setting forth specific enforcement provisions. The bill strengthens the protections already afforded under state law to those children who are born alive following an attempted abortion and clarifies the care owed by an abortion provider to such an infant.

Additionally, in requiring that a viable infant born alive following an abortion be transferred to an appropriate emergency care hospital setting, this bill attempts to ensure that the child is provided with the necessary specialized care to which he or she is entitled. Often, evaluation and care of premature infants requires specific medical equipment unavailable outside of a hospital. It is only reasonable that a voiceless infant facing a medical emergency be transported to a setting where provision of necessary care is most reasonably possible.

Senate Bill 354 is the epitome of common-sense legislation and it is my sincere hope and prayer that it will enjoy broad support. It is intended to safeguard those infants who, through no fault of their own, are born into some of the most difficult and challenging circumstances imaginable. These children having somehow survived a violent attack on their life in utero, should never face a similar threat once born and legally recognized as a person.

Mr. Chairman and members of the committee, on behalf of the Montana Catholic Conference, I urge a “do concur” and thank you for your time.