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LEGISLATIVE TESTIMONY

To: Joint Committee on the Judiciary

From: James F. Driscoll, Esq., Executive Director

Re: House Bill 1452, "An Act banning partial birth abortions," House Bill 1567, "An Act relative to sex selection in pregnancy."

Date: July 9, 2013

The Massachusetts Catholic Conference ("MCC") respectfully submits this testimony in support of House Bill 1452, "An Act banning partial birth abortions," and House Bill 1567 "An Act relative to sex selection in pregnancy."

House Bill 1452

The proposed legislation would amend sections 12K and 12M1/2 of Chapter 112 of the General Laws by first defining the term "partially born," meaning for the purposes of the legislation a living fetus's entire head, or any portion of the torso above the navel exposed out of the body of the mother. Section 12M1/2 would be a new section which describes the penalties for any person who "intentionally causes the death of a living intact fetus while that living intact fetus is partially born."

The teaching of the Catholic Church is clear in regards to abortion. The Catechism of the Catholic Church states that "human life must be respected and protected absolutely from the moment of conception. From the first moment of his existence, a human being must be recognized as having the rights of a person – among which are the inviolable right of every innocent being to life."¹

In 2003, the United States Congress enacted the Partial-Birth Abortion Ban Act. This law prohibits a form of late-term abortion called "partial birth abortion" defined by the Act as a procedure known as "intact dilation and extraction." It is the belief of the Conference that House Bill 1452 would bring state law in line with federal law. After many years of hearings on the issue, Congress has concluded that partial birth abortion is "never medically necessary" and "poses significant health risks to women."² Congress also found a "disturbing similarity" between the procedure and infanticide.³ Thus Congress reasonably concluded that the practice of killing children substantially outside of their mothers' bodies "promotes a complete disregard for infant human life that can only be countered by a prohibition of the procedure."⁴

House Bill 1567

The MCC also supports the passage of House Bill 1567, "An Act relative to sex selection in pregnancy." House Bill 1567 seeks to prohibit a physician from providing an abortion to a woman that is dissatisfied

¹ Catechism of the Catholic Church (CCC), 2270.

² Pub. L. No. 108-105 § 2, 117, Stat 1201, 1202 (2003).

³ *Id.*, at 1206.

⁴ *Id.*

with the gender of the infant in her womb. Support for this legislation is consistent with the firm support that the Roman Catholic Church has for the right to life of every person.

For the foregoing reasons, the MCC urges the committee to give House Bill 1452 and House Bill 1567 a favorable report recommending their passage.

The Massachusetts Catholic Conference is the public policy office of the Roman Catholic Bishops in the Commonwealth, representing the Archdiocese of Boston and the Dioceses of Fall River, Springfield, and Worcester.