

William Smith
Gorham
LD 1619

Testimony in opposition of LD 1619: "An Act to Improve Maine's Reproductive Privacy Laws"

Senator Carney, Representative Moonen, and members of the Joint Standing Committee on Judiciary, my name is Bill Smith, I live in Gorham and am a strong advocate for individual liberty and sovereignty in Maine. Thank you for the opportunity to testify in opposition to LD 1619.

The proposed bill LD 776 still lacks a formal definition for "bodily autonomy". As a result the vague nature of the referendum will leave its meaning to interpretation by each voter. I see the result of this in the confusion declared in the many testimonies submitted for that bill at the time I write this.

Therefore this bill, LD 1619, should not pass.

I will expound.

On June 18, 2021 27-year-old Vanessa Marie Schmurr-Smith was thrown through the open passenger window when the pickup she was in slammed into the rear of a stopped semitrailer truck along Interstate 75 near State Road 60 in Brandon, Florida.

Gravely injured, the woman was seven months pregnant. An ambulance took her to Tampa General Hospital. Within 45 minutes of the crash, she had undergone an emergency cesarean section and died. But doctors saved her baby, Van Brian Smith. He spent the first weeks of his life in intensive care.

The question I pose is when in this situation does the baby have bodily autonomy? At the moment it leaves the mother's womb? At the moment she died? Two months later when it would have been naturally born?

What if there was a slight difference to this story?

Imagine if the mother had planned to abort her baby two days following her accident, the current bill LD 1619 would allow her to do so. And imagine if the mother was grievously injured and upon review the doctors concluded she was dying and performed the emergency cesarian section before she died. And finally if, by some chance of fate, Ms. Schmurr-Smith survived after the surgery to remove the baby.

Does the baby still have bodily autonomy simply because it was taken from her womb without her consent? Does she still have the right to the planned abortion?

There is a significant chance there existed in our country a baby about along in it's gestation as this baby was. If the mother to be in either case truly did not want to be a mother and didn't even want their progeny to move forward in the world... the state now took that right from one mother and not the other.

The Maine Constitution currently states we have rights from the day we are born.

Does our Constitution have to be amended due to the miracles of modern medicine? We know it is quite common for a baby to be born prematurely. My wife for instance was a month early in 1970 and survived well.

With this in mind I oppose LD 1619 in its current form due to the lack of a clear definition of the term "bodily autonomy".

Thank you.