

Approved: April 5, 2000
Date

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Representative Powell at 1:30 p.m. on March 30, 2000 in Room 313-S of the Capitol.

All members were present except: Representative Burroughs, excused
Representative Edmonds
Representative Henderson
Representative Mason, excused
Representative Mayans, excused
Representative Mays, excused
Representative Morrison
Representative Peterson
Representative Ruff

Committee staff present: Theresa Kiernan, Revisor of Statutes
Russell Mills, Legislative Research
Mary Galligan, Legislative Research
Winnie Crapson, Secretary

Conferees appearing before the committee:
Senator Oleen
Representative O'Connor
Joyce Allegrucci, Children and Family Policy, SRS
Cleta Renyer, Right to Life
Carla Northcott-Mahany, Planned Parenthood of Kansas
and Mid-Missouri

Others attending: See attached list.

Hearing was opened on
Sub SB 652, Newborn infant protection act.

Senator Oleen presented testimony in support of **Sub SB 652** (Attachment #1). She, Senator Biggs and Representative O'Connor were all concerned with procedural policies they thought should be incorporated in the bill. She described a similar bill in Texas called the "bonus bill" allowing a child to be brought unharmed to a place that could care for that newborn anonymously. A similar bill has been filed in Minnesota. After introducing **SB 652** she learned Representative O'Connor had introduced a bill like this. The intent of the bill was supported by the Hospital Association, Right to Life, and Planned Parenthood and other organizations. What was already the law in Kansas was incorporated into the present bill. It provides that a newborn 45 days or younger could be brought to a hospital or place where people are on duty longer than the 8-hour day. The child must be brought to a person who is actually on duty. Authorities are notified and the child brought to a foster care home. Kansas is one of several states that have equal rights of mothers and fathers and grandparents.

The written testimony of Senator Biggs (Attachment #2) was distributed by Senator Oleen.

Representative O'Connor presented testimony in support of **Sub SB 652** (Attachment #3). She introduced **HB 2927** with twenty sponsors. She wanted to make clear that Senator Oleen had not "stolen" her bill. Both bills have the same intent and she presented testimony at the hearing of **SB 652** in the Senate Committee. She presented her concerns about the language on page 2, line 5 "if such infant has not suffered bodily harm." Her concern is when a child is born in a private circumstance without medical assistance there might be bodily harm that was unintentional.

CONTINUATION SHEET
MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS
March 30, 2000

Joyce Allegrucci, Assistant Secretary of SRS for Children and Family Policy presented information from SRS in support of the bill (Attachment #4). SRS strongly supports the intent and goal of **Sub SB 652** to decriminalize the abandonment of newborn infants and to expedite their placement in permanent adoptive homes. These are rare and extremely tragic situations and this bill would do a great deal to help avoid their continued reoccurrence. The information she provided outlined the hearing procedure to final adoption and explaining the rights of parents and grandparents.

Committee questions were addressed to Senator Oleen, Representative O'Connor and Joyce Allegrucci concerning parental rights and "change of heart", and possible abuse.

Parental rights and the procedure to final adoption are covered by present Kansas law. Revisor Kiernan explained that while under the bill their could be no charge of abandonment, there could be for abuse.

Representative Vining noted this could provide the possibility of more children being available for adoption.

Cleta Renyer presented testimony in support of the bill on behalf of Right to Life of Kansas (Attachment #5). They believe this would not only save the lives of newborn infants but would inadvertently save the lives of the desperate and frightened young parents by giving them an opportunity to place their babies in the hands of a non-biased trained professional.

Carla Northcott-Mahany presented testimony in support of the bill on behalf of Planned parenthood of Kansas and Mid-Missouri (Attachment #6).

The meeting adjourned. No further meeting is scheduled.

HOUSE FEDERAL & STATE AFFAIRS COMMITTEE

COMMITTEE GUEST LIST

DATE: March 30

NAME	REPRESENTING
Carla Norcott-Mahany	PPKM
Barbara Duck	KCA
Sylvie J. RUEFF	LAWRENCE N.O.W
Barbara Halmsick	Natl Council of Jewish Women, <i>KC Section</i>
Cathy Byrnes-Shaw	" "
Bruce Dimmitt	Kansans For Life
Cleta Renyer	Right to Life of Mo.
Kelly Kuitala	City of Overland Park
Lynda Parry	Se of KS - Social Welfare <i>MD</i>

LANA OLEEN
 SENATOR, 22ND DISTRICT
 GEARY AND RILEY COUNTIES



TOPEKA

SENATE CHAMBER

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 VICE CHAIR: JUDICIARY
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 KANSAS SENTENCING COMMISSION

LEGISLATIVE HOTLINE
 1-800-432-3924

March 30, 2000

Chairman Powell and Members of the Committee:

As you may know, a tragedy occurred outside Junction City last winter. A 16 and 17 year old, unmarried couple drowned their newborn son. I hope none of us ever knows the desperation these teenagers felt to be driven to such an act. They are both now convicted felons, serving prison terms.

No one condones what these teens did. No one can condone what panicked parents – young and old -- throughout history have done when faced with the prospect of raising a child without the wherewithal, emotional or material, to do the job. Secret, unattended births and discarded newborns have been with us since the beginning of time.

We can all be thankful that very few people in Kansas are driven to this extreme. Yet the fact is, even if these teens had left their baby in a basket on a convent doorstep, they might well be convicted felons today. That is because, in Kansas, abandoning a baby is a crime. That is a good law if it protects children from harm. It is a bad law if it backs terrified, young parents into a corner and forces them to throw a newborn into a creek as a means of hiding a birth that they have hidden throughout a pregnancy.

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 MANHATTAN, KANSAS 66502
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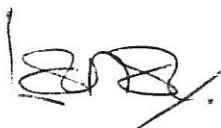
DISTRICT OFFICE
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 Date 3/30/00
 Attachment No. 1
 Page 1 of 2

Senate Bill 652 was introduced in the Senate to create a backstop – not a cure – for those panicked parents who need an alternative for what appears to them to be an insolvable dilemma . The bill provides an alternative to breaking the law. Very simply, it allows desperate parents to leave their unharmed baby in a place where it can be cared for properly, until it can be adopted.

This bill does not attempt to address the problems of unwanted pregnancies, dysfunctional families, or human irresponsibility. This bill does not make judgements about the people who find themselves in situations they deem impossible. This bill only creates a humane option for desperate, terrified people. This bill offers a new beginning for a child deserving a home - one where the child will be wanted . . . and loved.

Sincerely,



Lana Oleen
Kansas Senator
22nd District

House Fed. &
State Affairs

Date 3/30/00

Attachment No. 1

Page 2 of 2

DONALD E. BIGGS
SENATOR, 3RD DISTRICT
LEAVENWORTH & JEFFERSON COUNTIES



TOPEKA

SENATE CHAMBER

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MEMBER:
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FINANCIAL INSTITUTIONS AND
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LEGISLATIVE HOTLINE
1-800-432-3924
(DURING SESSION)

March 30, 2000

COMMENT ON NEWBORN INFANT PROTECTION ACT
(Sub. SB652)

I served on a subcommittee of the Senate Federal and State Affairs Committee that worked on the final draft of the above referenced bill. We had good input from SRS and the Kansas Hospital Association to address questions and issues that had arisen during a hearing on the original draft.

During Senate floor debate, a number of "what if" questions were asked. This legislation is not giving up on parental responsibility. The most likely scenario would be a young teen age mother with little or no emotional or financial support who is scared to death.

The legislation is about possibly saving the life of a baby. Hopefully, the legislation will never be used, but it offers an option for life.

Donald E. Biggs
State Senator, Third District



TOPEKA

KAY O'CONNOR
REPRESENTATIVE, DISTRICT 14
NORTHERN OLATHE

March 30, 2000

DURING SESSION:

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COMMITTEE ASSIGNMENTS:

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GOVERNMENTAL ORGANIZATION & ELECTIONS
LOCAL GOVERNMENT, VICE-CHAIR
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Chairman Powell and Members of the House Federal and State Affairs Committee:

Thank you for the opportunity to testify in favor of the concept of SB 652. I also introduced similar legislation in the House. A copy of HB 2927 is enclosed.

I have a concern about SB 652 on page 2, line 6, in reference to, "if such infant has not suffered bodily harm". Does this mean that if this infant is suffering trauma due to a "secret" private delivery, the baby's mother may then be charged with abandonment? I hope that is not the intent and perhaps this part can be changed.

Enclosed also is some excellent Q & A materials sent to me by Texas State Representative Geanie Morrison whose state was the first to enact a bill designed to save newborns.

Senator Oleen and I discussed whether there was a need for a "change of heart" section. I wish to draw your attention to the Texas response on page 11 of the Q & A sheets.

Sincerely,

Kay O'Connor
Representative 14th District

Enclosures (2)

House Fed. &
State Affairs
Date 3/30/00
Attachment No. 3
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SAVING ABANDONED NEWBORNS: FREQUENTLY ASKED QUESTIONS ABOUT THE BABY MOSES PROJECT

How prevalent is abandonment in the United States?

Unfortunately, no one knows. Texas state Representative Geanie Morrison (R) Victoria, author of the United States' first bill to address the recent increase in baby abandonment, was unable to find reliable data. Texas, like most states, does not keep statistics specific to this issue. Although there are federal and state laws that pertain to abandonment, Rep. Morrison's H.B. 3423 is the first law that seeks to prevent abandonment by setting up a system where parents can safely leave their babies without fear of being prosecuted for child abandonment. Along with Rep. Morrison, U.S. Representative, Sheila Jackson Lee (D) Houston, became alarmed upon the news of a rash of abandonments in Houston, Texas. Over a 10 month period in 1999, 13 babies were abandoned in the Houston area, 5 in a two week period. Of those, three babies were not found in time. In her efforts to address this problem, Rep. Lee also found that the federal government does not keep statistics pertaining to this issue. "I was aghast to learn that we don't keep this data," the Associated Press reports Rep. Lee as saying. "If we're going to look at preventing these things - Is it a national problem and are there national answers? - we've got to know how many babies are being dumped."¹ *The Christian Science Monitor* quoted Rep. Lee after she began work on federal legislation to require statistics to be gathered as saying: "Some of the largest states don't keep data on abandoned babies. The only way we can provide a solution ... is to know the data."² It would appear, from a quick glance through news stories that are available on the internet, that abandonment is a national problem. In addition to the programs and bills being discussed in Alabama, California, Florida, Kentucky, Minnesota, North Carolina, West Virginia, New York, Pennsylvania and Texas^{3,4}, there are news stories from Colorado, Illinois, and Montana, and high-profile cases in Delaware, the District of Columbia, Maryland and New Jersey.⁵ In all, there are cases or developments in at least 15 jurisdictions, including the high-population states of California, Florida, Illinois, New Jersey, New York, Pennsylvania and Texas, involving abandonment and related issues.

What does HB 3423 do?

¹ Chris Fletcher, "13 Baby Abandonments Stun Houston," Dec. 29, 1999.

² Stacy A. Teicher, "Rescuing babies from abandonment," Jan. 24, 2000, p. 3.

³ Activities in these jurisdictions are discussed below.

⁴ Additional citations appear for some of these nine states are available. In addition, there are these items: Denver Post, Jan. 3, 2000, "Baby abandoned in grocery," Schaumburg (IL) Review, June 4, 1998, "Principal surprised by charges against student," and "Great Falls Children's Receiving Home," discussing "The perplexing problem of child abandonment...."

⁵ Amy Grossberg and Brian Peterson were convicted in a Delaware case. LaTrena Pixley was convicted of second degree murder in a District of Columbia proceeding. On Jan. 26, a Jamaican citizen living in Maryland abandoned her newborn. Melissa Drexler of New Jersey is presently serving time for the murder of her baby, who she delivered during her prom.

H.B. 3423, which became effective in Texas on Sept. 1, 1999, provides a mother with a responsible alternative to baby abandonment. H.B. 3423 is credited with starting the national movement to respond to baby abandonment by enacting laws to provide parents with an anonymous way to safely leave their babies in someone else's care.

Why was HB 3423 passed in Texas?

The law was passed in Texas because of growing concern about the numbers of abandoned children: in the first 10 months of 1999, 13 babies were abandoned in Houston, Texas. Of the 13 children, three were found dead.⁶ Given the fact that babies were being abandoned at the rate of four children every quarter, and nearly 25 percent of the babies were found dead, it seemed to Texas leaders that action needed to be taken. If the Houston metropolitan area, with a population of 4.4 million, were to be typical of the situation in Texas, which has a population of 20 million, then the picture statewide could be 16 babies abandoned each quarter, four of whom were found dead. Annualized, that could mean 64 abandoned babies in Texas, of whom 16 might be found dead. If the same statistical estimates are applied to the U.S. population of 272.7 million, the totals would be 13 times as large - 832 babies might have been abandoned, of whom 208 might have been found dead.⁷

Are there any official U.S. statistics on babies who would be deemed to be abandoned because they are found dead?

Yes, there are data from the Bureau of Justice Statistics of the Department of Justice, based on Supplementary Homicide Reports of the Federal Bureau of Investigation (FBI). The FBI data cover 1976-98 and show that the number of victims of homicide under 1 year of age went from 206 in 1976 to 267 in 1998. As a percentage of victims under age 5, those less than 1 year went from 37.4% in 1976 to 41% in 1998.⁸ There is no way to determine what portion of the reported homicides of babies were due to abandonment.⁹

What is known about the abandoned or murdered babies and the persons who are responsible for abandonment or the homicides?

In Houston, for example, despite attempts to locate parents, only four of 13 mothers were identified. Of the four, only one, a teenager whose baby died, was charged with a crime and she was prosecuted for murder. The homicide statistics show that the younger the child, the greater the risk for infanticide. As the Department of Justice report says, "The number of infanticides of children age 1 and younger has increased while the number for older children has remained relatively constant." The government says that a parent is

⁶ See Note 2.

⁷ These data projections are based on population statistics as of July 1, 1996, obtained from the U.S. Census Bureau, as imputed by William L. Pierce, Ph.D., President of the Richard C. Stillman Foundation for Adoption.

⁸ See <http://www.ojp.usdoj.gov/bjs/homicide/kidsage.txt>

⁹ Fletcher.

the perpetrator in most homicides of children under age 5: 31% were killed by mothers, 31% were killed by fathers and 6% were killed by other relatives. Data on ethnicity of the children who were victims of homicide show that although Black children are over-represented (about 8 per 100,000 population as compared to about 2.5 per 100,000 population for White or Anglo children and less for "Other" racial groups), "Infanticide rates for -

- black children have fluctuated, but are currently lower than in earlier years
- white children have remained stable
- children of other racial groups have declined."¹⁰

How did Texas end up passing a law to deal with abandonment and the resulting infanticide of babies?

The law is the result of the efforts of Texas State Representative Geanie W. Morrison, a Republican from District 30, in Victoria. The initial impetus came from Dr. John Richardson, of Cook Children's Hospital in Fort Worth, who read about the idea of providing safe shelter for babies of mothers in crisis in *National Adoption Reports*, the newsletter of the National Council For Adoption. Dr. Richardson enlisted the assistance of his niece, an Austin judge, who decided, acting as a private citizen, to seek out a state legislator who would take up the cause of abandoned babies. Rep. Morrison shepherded the bill through the legislature as the prime sponsor.¹¹ Among those publicly endorsing the Morrison legislation in addition to Dr. John Richardson and Judge Deborah Richardson were: Children's Medical Center, Dallas; Christus Santa Rosa Children's Hospital, San Antonio; Cook Children's Health Care System, Fort Worth; Tarrant County Hospital District, Fort Worth; Texas Hospital Association; Texas Pediatric Association. Gov. George W. Bush, who was supportive of Rep. Morrison's bill, signed HB 3423 on June 2, 1999. The law became effective on September 1, 1999.

What does Rep. Morrison's law do?

The law, which is the first of its kind in the U.S. since the ending of the era of "foundling homes," which were a distinct improvement over "almshouses"¹², provides a responsible alternative, especially to mothers who find themselves in desperate situations, by allowing them to voluntarily deliver a newborn (under 30 days of age) baby to a licensed emergency medical services provider without threat of criminal prosecution. HB 3423 addresses two important issues: it significantly reduces the risk that a newborn will be abandoned in a perilous environment that may result in death and it protects the parents who feel they have no option other than abandonment, but who compassionately deliver their newborn to a safe shelter.

¹⁰ All data from the Bureau of Justice Statistics, see Note 4 for URL.

¹¹ Catholic News Service, August 20, 1999.

¹² For a discussion of this history and the beginning of "boarding out" infants with foster parents in 1871, see, especially, Introduction, pages xxii ff., *The Encyclopedia of Adoption*, Christine Adamec and William Pierce, Facts on File, NY, 1991.

Why does Rep. Morrison's law use emergency medical services providers?

In an attempt to conceal the pregnancy, it appeared that the majority of these mothers had received no prenatal care, making immediate medical attention critical. From what little is known about abandonment, because the practice is unlawful, it would appear that most babies are delivered by the mothers in secret because they desire to keep the fact of the pregnancy confidential. It is not unusual for babies delivered by mothers without assistance to develop various kinds of distress and we do not live in a society where women are prepared to deliver by themselves and also provide adequate care for their newborns. For these reasons, the law is designed to encourage those who feel they are forced or left no alternative but to abandon a baby rather than seek routine emergency care from a health facility to go to those who are trained to stabilize and transport those in need of immediate medical attention.

Why is most of the discussion about mothers abandoning children, rather than fathers, since the existing FBI statistics show fathers and other relatives commit homicide more often than mothers?

Most of the focus is on mothers rather than fathers because, at least from the cases that have come to light, and because it is possible for women to conceal pregnancies and deliver alone, it is mostly women who are thought likely to abandon babies. Unless a woman's baby is taken from her by force or fraud, she is likely to be an accomplice. There is no intention to minimize the role and responsibility of fathers and other relatives of babies in any mention of mothers abandoning children. As the tragic case in Delaware illustrated¹³, and as the FBI data prove, men are quite capable of infanticide.

What do state laws say about the rights of fathers, especially those who are not married to the mothers of their babies?

Each state law varies, but generally a child's biological father, except in cases of assisted reproduction such as Donor Insemination, has the right to notice if his child is being placed for adoption because adoption involves the termination of parental rights. For instance, according to *Adoption Factbook III*,¹⁴ which contains a chart of state laws compiled by Christine Adamec, Texas provides that fathers may give consent for children to be adopted prior to their birth. Texas also has a putative fathers' registry, which means that if a man does not put his name on the registry to say he wants to be heard on any adoption involving his nonmarital child, the court may proceed without his consent.

Can mothers or fathers of babies change their minds about adoption?

¹³ A young, unmarried White couple from affluent backgrounds delivered their baby in a motel room and the baby was allegedly killed by the father before being thrown in the trash.

¹⁴ Published in November, 1999, by the National Council For Adoption. Adamec's chart originally appeared in *The Complete Idiot's Guide to Adoption*, Alpha Books, 1998, at pages 120-124.

Mothers may not give consent to an adoption in Texas until at least 48 hours after the baby is born. Either parent usually has 10 days to change their mind.¹⁵ As a practical matter, this means that the new abandonment law in Texas could use a similar timetable to determine when the implied voluntary consent present in an abandonment may be revoked. The matters of consents, relinquishments and revocation of consents are among the topics that will be carefully examined when the Texas legislature reconvenes in 2001.

How do people in Texas find a list of emergency medical service providers?

Rep. Morrison's office is maintaining, on an interim basis, a list of such providers and her offices may be contacted for referrals. Rep. Morrison's Austin office telephone is 512-463-0456 and her District office is (800) 687-0100 [for Texas callers only] or (361) 572-0196. Rep. Morrison is heading up the BABY MOSES PROJECT, which will be providing information, education and technical assistance about H.B. 3423 as well as similar legislative initiatives which have developed in response to the Texas law or independently.

What are the goals of the Baby Moses Project?

The goals are to raise funds in order to provide an organized response to the outpouring of support for the idea of giving babies safe shelter and necessary services, not just in Texas but throughout the United States and anywhere people want to ensure that newborns may be anonymously and safely delivered to an EMT without their parents needing to fear legal prosecution. The Project will operate under a foundation so that contributions will be deductible to the extent provided by federal law. It is hoped that a combination of contributed funds and volunteer services will result in the Morrison law spreading across America.

Is Rep. Morrison's law a model for other states to follow?

Certainly, the idea is being considered by numerous other states and has received tremendous attention from the national media. But model laws or uniform acts are highly technical and usually are drafted over a period of years by organizations such as the National Conference of Commissioners on Uniform State Laws. In this instance, Rep. Morrison believes that her law is a good starting point but she is working with people all across America to gather ideas for improving the law. Rep. Morrison will be introducing a bill to improve upon H.B. 3423 in the next session of the Texas legislature, set for 2001.

What other jurisdictions currently have some approach similar to Rep. Morrison's law?

¹⁵ See Note 13.

At the present time, Rep. Morrison and the Baby Moses Project – an effort largely of Texans, working through a charitable foundation¹⁶ -- are aware of activities which are reportedly under way in these eight states in addition to Texas.

- ALABAMA In Alabama, Jodi Brooks, a reporter for Mobile television station WPMI-TV, the local NBC affiliate, started a program. Ms. Brooks had covered too many stories about abandoned babies, many of whom died. Ms. Brooks decided to put together a team to offer women the option of safely placing their children at the door of a church without having to fear being prosecuted for abandonment. Since the program started, no dead infants have been found and three mothers have brought in their babies for adoption.¹⁷ A recently-rescued baby now awaits adoption.¹⁸ Meanwhile, the Mobile program, called "A Secret Safe Place for Newborns," states in its program materials that no questions will be asked, that newborns up to 72 hours can be dropped off at emergency rooms of participating hospitals with total secrecy, and police will not be called for abandonment. The Mobile program reportedly includes giving the mother an identity bracelet that will match her with her child in the event she changes her mind.¹⁹ Because of the response the Mobile program has received, Ms. Brooks says that a "template is being put together that will help other communities start similar programs."²⁰

- CALIFORNIA In California, according to Susan Mejia, Legislative Director for State Sen. James Brulte (R-Cucamonga), who introduced S. B. 1368 on Jan. 19, 2000, the drive for the legislation came from a California woman, Debi Faris of Yucaipa, who took it upon herself to begin burying abandoned babies who had died or were murdered. Faris has provided burial for 37 bodies of abandoned babies through her "Garden of Angels" project.²¹ A Jan. 24 story, "Activist backs baby drop-off bill," reports that Sen. Brulte's bill "...is picking up steam, gathering the support from all corners of the political spectrum."²³ That same story tells about Assemblyman Ken Maddux (R-Garden Grove) is proposing similar legislation in the other chamber. An Associated Press story quoted Sen. Brulte as saying "We've had evidence that babies are being put into Dumpsters and sometimes we find them before they die, and sometimes we don't. And that presumes we find 100 percent of babies and I don't think we do...." The same news article quotes Elaine Leschiot, who prosecuted Melissa Drexler, the young woman who delivered a baby during her 1997 prom, wrapped the baby in a bag, and returned to the dance as

¹⁶ The Richard C. Stillman Foundation for Adoption is hosting the project and providing various support to the project organizers so that 100 percent of all funds donated to the project go, overhead-free, for project goals. Other individuals involved in the project, which is still in formation, include Dr. John Richardson. Other groups supporting the project include the National Council For Adoption.

¹⁷ Stacy A. Teicher, "Rescuing babies from abandonment," Christian Science Monitor, Jan. 24, 2000, p. 3.

¹⁸ Ron Colquitt, "Abandoned baby awaits adoption procedures," Mobile Register, Oct. 20, 1999

¹⁹ Nancy Stanfield, "New Option: Legal Abandonment," About.com, Jan. 17, 2000, at

<http://adoption.about.com/home/adoption/library/weekly/aa011700a.htm>

²⁰ Personal communication with William Pierce, Richard C. Stillman Foundation for Adoption, Jan. 30, 2000.

²¹ Personal communication with William Pierce, Richard C. Stillman Foundation for Adoption, Jan. 26, 2000.

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saying "I don't think any of these girls are big killers," she said. "I think it's the embarrassment and shame, and they're self-centered."²²

- COLORADO In Colorado, Senator Gloria Tanner filed SB 171, which was passed out of the senate by an overwhelming 32-3 vote. The legislation now awaits passage in the House

- FLORIDA There are several reports that Florida is also exploring enacting legislation similar to Rep. Morrison's law or the program in Mobile, Alabama. *The Christian Science Monitor* reported that "...by next month [February], Pensacola, Fla., will be added to the list of communities reaching out to help troubled mothers and their newborns."²³

- INDIANA In Indiana, state Senator Clark has filed SB 424.

- KANSAS In Kansas, state Representative Kay O'Connor filed legislation on February 9, 2000. The legislation is currently in the Appropriations committee. Due to the fact that this legislation has been referred to one of only a few committees that is blessed (free from filing deadlines), Rep. O'Connor feels confident that the legislation will meet with a favorable response.

- KENTUCKY In Kentucky, H.B. 367 was also introduced "...to protect women from prosecution if they leave their babies with emergency workers."²⁴

- MARYLAND In Maryland, the Montgomery County Board of Social Services, in response to a case involving an abandoned baby found in Germantown, a suburban community just outside Washington, D.C., where the infant narrowly escaped death after being put in the trash in subfreezing weather, voted at its Feb. 7, 2000, meeting in favor of a motion to send a letter to the County legislative delegation asking that a bill similar to H.B. 3423 be introduced in the state legislature.²⁵

- MINNESOTA In Minnesota, state Senator Leo Foley has filed SB 2615. Minnesota also has, in Dakota County, near St. Paul, has a new program called "A Safe Place for Newborns," involving three hospitals in the county and the Roman Catholic Archdiocese of St. Paul and Minneapolis. According to the Associated Press, the program allows parents to leave babies anonymously at hospitals without fear of prosecution. A mother who brings in a newborn will be asked to volunteer medical information about the baby. She will be given an identity bracelet, as in the Mobile,

²² "Proposed California law may protect panicked mothers who discard infants," *Sacramento Bee*, Jan. 17, 2000.

²³ See Note 9.

²⁴ See Notes 9 and 11.

²⁵ See draft Minutes, Board of Social Services, available from Galena Kuiper, Chair, Board of Social Services, or Trudy McNamara, staff to the Board.

Alabama, program, proving she is the mother in case she wants to reclaim her baby later. According to the AP, eventually the program is expected to expand throughout Minnesota.²⁶ According to Rev. Andrew Cozzens, co-chairman of the program, "Essential to the success of the program is protecting the woman's confidentiality. To get immunity from prosecution for abandonment, she must bring her newborn to the hospital within 72 hours. She has six months to work with child-welfare officials to reclaim the baby...community leaders agree that all the 'what ifs' don't add up to the price of a human life...."²⁷

- NEW JERSEY In New Jersey, Assemblywoman Charolette Vandervalt has filed HB 2030.

- NEW YORK In New York State, an effort of Nassau County [Long Island] Police Ambulance Medical Technicians (AMT) has been widely publicized, including an article in *The New York Times*. The AMT Children of Hope Infant Burial Foundation is similar to the Garden of Angels project in California, but Tim Jaccard, Chairperson of the Children of Hope effort, has a more ambitious agenda than burying bodies. Material from Children of Hope states that in the United Kingdom, "...where the government has been monitoring the issue, statistics reveal a 300 percent increase in infant abandonment in the last decade." Jaccard says "Here in the United States, those working in the field estimate that 57 babies a day are abandoned across the country. That is an alarming 20,800 infants abandoned with about 6,900 of them found dead." Jaccard is focused on education and advertising as well: "Through the advertising of hot-line telephone numbers and various service agencies, the AMT's Children of Hope Foundation is providing these mothers, who feel shame and desperation, with the confidential and reassuring help they and their unborn need." Jaccard calls for both research and education: "We need a fuller picture of the circumstances of infant abandonment and to identify all those responsible for the pregnancy before we can effectively confront the issue.... We need to educate both teenage males and females especially on the responsibilities and consequences of their actions. We must try to save as many of the abandoned newborns as possible. This must begin at all phases of the pregnancy, before, during and after." The Nassau County effort has advertisements on buses, railroad approaches, in train stations, clinics and hospitals.²⁸ Jaccard says his group is exploring introduction of legislation similar to the Morrison law in New York.²⁹ Jaccard's group has an adoption referral option through a New York licensed, nonprofit child placement agency, Family Connections, Inc.³⁰

- NORTH CAROLINA According to the office of Rep. Morrison, North

²⁶ "Abandoned Babies Program Launched," Jan. 5, 2000.

²⁷ See Note 9.

²⁸ Undated two-page statement, "FACTS YOU SHOULD KNOW ABOUT INFANT ABANDONMENT," A.M.T. Children of Hope Foundation Infant Burial, Inc. of the Nassau County Police Department.

²⁹ Personal communication with William L. Pierce, President, Richard C. Stillman Foundation for Adoption. The A.M.T. Children of Hope Foundation was the recipient of a modest grant from the Stillman Foundation in 1999.

³⁰ Letter from Jaccard to the Stillman Foundation, Jan. 11, 2000, in the files of the Stillman Foundation.

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Carolina is looking into similar legislation.

- OKLAHOMA In Oklahoma, state Representative Susan Winchester has filed HB 2148. The legislation was overwhelmingly approved to be considered by the full House.

- PENNSYLVANIA Pennsylvania is also reportedly exploring the possibility of introducing legislation similar to the Texas law. Already, there is a program in place in Pittsburgh. "In Pittsburgh, several dozen volunteers put "Baskets for Babies" in front of their homes, explaining babies would be safe if left there.³¹

- TENNESSEE In Tennessee, HB 3112 was filed by Assemblyman Bill McAfee.

- OTHER STATES Other states that are considering programs or legislation include; Connecticut, Oregon, Illinois, Ohio, Wisconsin, Mississippi, Michigan and New Mexico.

Who pays for the cost of the Morrison law and other similar projects?

In Texas, Rep. Morrison says, it is considerably less expensive to treat a newborn that has been delivered to a Emergency Medical Service than it is to treat a child who has been unsafely abandoned in freezing or sweltering temperatures for countless hours. Weather is a significant factor, but by no means the most dangerous. Others include: lack of feeding; animals; insects; trash trucks - and the major determining factor, time. Babies who are safely given to properly trained personnel are much more likely to survive and to avoid permanent disabling injuries - injuries that might well need extensive and expensive medical treatment financed with taxpayers' dollars. Most important of all, the legislation is premised on the belief that there is not a price on a human life. Even apart from the clear benefits to society of eventually having a productive, taxpaying citizen, basic humane treatment of children demands that society's laws creatively address proven threats, such as abandonment. These services should properly be seen as part of the public health and public child welfare and protective services routinely provided by states.

In the past, the argument has been made that arrangements that allow parents to anonymously abandon their newborns will only encourage irresponsible behavior?

The fact is that people unfortunately engage in a variety of risky behaviors in our society, including couples who are unable or unwilling to care for a child that has already been conceived. The Morrison law and others like it simply encourage women and others in positions of authority in the child's life to begin making responsible decisions by assuring that the baby is turned over to people who can provide proper medical and other

³¹ See Note 9.

care for the child. In no way does this law encourage a mother to act irresponsibly; rather, it provides a responsible alternative to baby abandonment, in effect saving the life of a newborn. Once that is accomplished, then society can take steps to see if the parents want to change their minds and try to regain legal custody if the parents are, should be or can be identified. If the parents do not come forward, or do not wish to regain custody, then a permanent, adoptive family should be found for the baby. The timing of services and actions should be based on the needs of the baby, not adult wishes.

Should parents be forced to accept responsibility for their actions?

Not every person who is a biological parent, either the woman who gives birth or the male who provided the sperm, is willing or able to raise a child. Forcing those who are unwilling or unable to try to be parents is unsound social policy, experimenting with the lives of babies. The most responsible action most of these parents can take at this point in their lives is to ensure that their baby is in the hands of someone who can provide a caring, stable environment.

What happens once a baby is safe and in the hands of authorities?

Many of the details are necessarily left to existing state and federal laws pertaining to child abuse and neglect, child welfare, foster care and adoption. Essentially, the idea is that once the baby is medically stable, the public department (in Texas, the Department of Protective and Regulatory Services) should arrange for the baby to be cared for by a qualified, licensed foster family. Ideally, this should be a family that is also licensed and has an approved home study to adopt so that if the parent or parents do not end up with custody of the child, and the court rules that the child may be adopted, the baby can stay with the family who has been nurturing her or him for weeks or months. In most instances, these foster care placements and adoptive placements will be handled by the public agency at little or no cost to the family that cares for the child.

Why does a public department have to be involved, since there are many private groups who are working in this area?

Arranging foster care and adoptions is something that, in the laws of most states, requires the involvement of a licensed child-placing or adoption agency. There are literally thousands of crisis pregnancy centers, faith-based organizations and other voluntary groups, which can provide information, referrals and help to women in crisis. But most of these are not licensed to do adoption placements or provide the information to be given out to callers. In addition, the information on these web sites can be misleading or inaccurate. For instance, two of the high-profile groups in California known for their interest in abandoned children are not licensed to do placements, yet they give out information and act in ways similar to agencies. The difference is that if someone were to innocently follow their advice they could end up violating the law. In one instance, a California group says on its web site to women contemplating abandonment: "We can arrange a confidential adoption for you without your parents finding out, *if you want to give up the baby.* You don't need approval from your parents or the baby's father; we'll

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take care of the paperwork." This information is only partially accurate: the baby's father has very distinct legal rights in many instances. Other groups, including at least one in California, tells callers that one of their couples will fly in, pick up a baby, fly to California, and an adoption can be arranged without the father knowing anything. Among other considerations, such advice is contrary to the Interstate Compact on the Placement of Children, which has been agreed to and is part of the law of each of the states. Clearly, there is a role for groups such as these crisis pregnancy centers, as well as licensed private adoption agencies, and attorneys experienced in family and adoption law. But the ultimate responsibility is given, by statute, to the state agency in charge of social services, child protection services and adoption. The state agency may decide to contract out some of its responsibilities to others, but until the state agency has done this, other groups are at substantial legal peril if they act independently of pertinent regulations and statutes. We support all efforts to put an end to this tragic problem, but request a strict adherence to the law by which each state is governed.

Is anyone opposed to this legislation?

Yes, there are individuals and some groups who have expressed opposition in various public forums. Following are some of the objections and responses.

On the internet, there is a discussion of these new programs on "About.com," a network of sites led by expert guides, called "New Option: Legal Abandonment." An article was posted on the "Adoption" GuideSite, which is hosted by Nancy "Sass" Stanfield, beginning Jan. 17, 2000. Ms. Stanfield identifies herself as a person who was adopted and who searched out her birth parents. Ms. Stanfield's article reflects the subjective viewpoints of those who believe in one-way searches for birth parents, especially in her description of the Morrison law. Ms. Stanfield raises five objections in a list of accusations which begin "Nowhere does the law...." The first objection is that the person doesn't identify her or their self - but that's the whole purpose of the law, to allow for anonymous but safe placing of a child with licensed medical specialists. The second objection is that there is no relinquishment signed - but this is anonymous legal abandonment, not adoption, where voluntary relinquishments are signed. The third objection is that the person does not provide medical information - but that would hardly be expected when someone is anonymously depositing a baby. With respect for the newborn's life, it is better to have a baby that is safely delivered to an EMT without medical records than a baby found in a Dumpster with medical records by the corpse. The fourth objection is simply incorrect: H.B. 3423 does not need to state a period when ~~person abandoning a child may change their mind~~ as that period is already specified at length in Texas law. The fifth objection is also incorrect: H.B. 3423 does not need to require the state to try and obtain any information because such requirements are already built into the state's protective services laws and regulations.³²

There is also an article on "Foundling Asylums" in an Online Edition of The Catholic Encyclopedia, Copyright 1999, which is dated from 1909, that may be cited by

³² See Note 18.

some who oppose H.B. 3423 and similar approaches to abandonment. The article is about 100 years out of date, but does contain some very interesting historical information. In context, the article clearly stresses the fact that foundling homes and various approaches were meant to protect the lives of vulnerable infants. The article condemns the existence of institutions and devices that allow babies to be safely and anonymously deposited. One such idea, recently revived to prevent the death of abandoned babies in South Africa, was a revolving crib that allowed the baby to be brought inside while preserving the privacy of the person or persons who put the child in the crib. As the program in Johannesburg demonstrates, such approaches work because an average of one baby a month has safely been deposited in a large mail slot cut in the door of a Baptist church. This large South African city is the scene of about a dozen infants being found each year dead, in the garbage or exposed outside.³³ The article also argues that 18 months of "support" is given to mothers of babies. The experience of the U.S. with Aid to Families with Dependent Children has demonstrated that welfare is no solution and the numbers of neglected and abused children continues to rise, even in the aftermath of new initiatives to protect children. The three main objections to foundling homes 100 years ago were: "...the very high death rate in these places (sometimes more than 90 percent), ...the smaller expense of the family system, and...the obvious fact that the family is the natural home for young children." Today, babies are not maintained in large institutions. Family foster care is less expensive and widely used, even when the child has been abandoned. Indeed, in Minnesota and elsewhere some of the leading advocates of a more practical approach to the problem of abandonment - including guarantees of privacy and anonymity, as well as placement of children for adoption - are leaders of the Catholic Church.³⁴ Of course, the most important fact to keep in mind when dealing with abandonment, adoption and other issues is that for the last 50 years, starting first in Korea and more recently in Latin America, India, Vietnam, Eastern Europe and China, babies who are safely abandoned are being adopted by qualified, willing families.

Is there any truth to the claim being made on the internet that these new laws will provide an opening for people to steal babies from women and then dispose of them through adoption?

There has been a large number of postings, under a number of headings but especially under "Re: Calif. Bill would make it "ok" to abandon babies". But even in that forum, the wild charges³⁵ have largely been dismissed.

To the charge that babies will be kidnapped and turned over for adoption, clearly there are procedures to protect against such abuses. The first place a person would turn if their baby disappeared would be to law enforcement officers, public agencies and the like. People who have missing babies will use the many means at their disposal.

³³ Pat Reber, Associated Press, "South African babies left in mail slot," Jan. 16, 2000.

³⁴ See Note 9.

³⁵ For instance, see "Ginger Root" and a posting on Jan. 25 on alt.adoption, message id: bJtj4.16550Sup4.326486@news1.rdc1.ab.home.com for the most outlandish ~~home~~ home.

One line of argument, advanced in a Jan. 18 posting on the same subject on alt.adoption, criticized France for still allowing anonymous abandonments in the French civil code: "It is also heavily defended by the Catholic Church, among others. Also, the Muslim community in France has advocated for these laws to remain. Several French groups... have been formed to fight for an end to anonymous abandonment....Remember that records are open in France...the only question is whether [sic] or not there is any information in them."

The same individual, posting on Jan. 22, raised four separate objections. The first was that these laws are contrary to the Convention on the Rights of the Child. The fact is that the U.S. has not ratified that Convention and countries that have, such as France, China, Russia and others allow anonymous relinquishment.

The second is "there is no evidence that any birthmother who would toss a child into a dumpster would be in a position of bother to avail herself of the methodology for anonymous relinquishment provided for in these laws. The experience of one Baptist church in South Africa answers that objection: in five months, five babies have been saved.

The third is the claim that "...the beneficiaries of such a law are more likely to be unscrupulous adoption practitioners who would be able to protect unaccountable relinquishment practices under the guise of anonymous relinquishment." For this charge to have any validity, all the public departments with responsibility for protective services, foster care and adoption would need to be "unscrupulous" and, as publicly-accountable entities, they operate in a full disclosure mode.

The fourth is an ad hominem attack: "...the fact that members of the militant fringe of the far right, such as Operation Rescue and its front organisations, have come out in support of such laws should [be] all that one needs to say on the subject. Generally speaking, in my experience, when people widely believed to be apologists for terrorism support a law, beware the law..." There is wide, bipartisan support for these laws across all ideological lines, as is evident by the fact that the two leading political figures currently working on these matters in Texas are U.S. Rep. Lee, a Democrat, and State Rep. Morrison, a Republican.

Another set of objections is related to establishing the identity of the child in case a parent wanted the have the baby returned. But DNA testing, which is already used to determine paternity in some countries where questions have been raised about kidnapping and valid executions of relinquishment, is a solution far more practical and protective of anonymity and privacy than requiring a woman to accept a hospital or EMT identification band.

Another objection, posted to alt.adoption on Jan. 26 is that "These laws seem designed to expedite the anonymous surrender of parental rights as much as save babies' lives." There is no evidence for such a charge: some of the new law's strongest supporters point to abandonment and loss of babies' lives as the primary concern which motivated them.

The more the laws receive acceptance, the wilder grow the accusations, as in this material from a Jan. 26 posting: "I'm concerned about systemic accountability from corrupt child welfare systems. I wouldn't be surprised if given the option of Les Accouchements Sous X [anonymous abandonment and placement as practiced in France] in America, unscrupulous county workers start classifying babies they've simply lost the records for or can't be bothered with or for which they received a bribe "legally abandoned" or even for which Medical or Medicare improprieties may have occurred with (a big problem) when in fact no such abandonment occurred. Given past recent experience, I'm sure their partners in crime in the Police Dept will happily help them produce the requisite paperwork..." Such accusations are ludicrous on their face. There is no evidence that such incompetence, corruption and improprieties exist within the county public social service and police systems.

What is the attitude of the public toward such laws allowing anonymous abandonment of babies?

Initially, there has been a very favorable response, even among some of the usual anti-adoption groups and individuals. The only poll which has been taken, which has very limitations because of the methodology (self-selection and not random selection of those who can vote, the fact that individuals can log on and vote more than one time, etc.), asked the question, "Would you vote for a law to make it legal to abandon a newborn at a hospital or fire station?" That poll, as of Jan. 30, had 502 total votes. Of those, 400, or 80%, were in favor of laws like Rep. Morrison's, 90, or 18%, were opposed, and 12, or 2%, responded "Don't know."³⁶

Please do not hesitate to contact Justin Unruh with any further questions.

³⁶ See Note 11, as amended by the author, Nancy Stanfield.



State of Kansas
Department of Social
and Rehabilitation
Services

Janet Schalansky, Secretary

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**House Committee on
Federal and State Affairs**
March 30, 2000

Senate Bill 652

Children and Family Policy
Joyce Allegrucci, Assistant Secretary
785-368-6448

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Mr. Chairman and members of the committee, I appear before you today in support of Senate Bill 652. This bill would provide added protections to our most vulnerable citizens. It would also assist the state in meeting the federal requirements of the Adoption and Safe Families Act of 1997 by the provision of expedited permanency.

SRS strongly supports the intent and the goal of SB 652 to decriminalize the abandonment of newborn infants and to expedite their placement in permanent adoptive homes. These are rare, but extremely tragic situations. This bill would do a great deal to help avoid their continued reoccurrence.

That concludes my testimony, but I will be glad to address your questions.

KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

JANET SCHALANSKY, SECRETARY

Information provided to the Senate Federal and State Affairs Committee on March 15, 2000 regarding "normal" procedure when an infant is abandoned

Protective Custody

Either by court order or application by law enforcement, a child may be taken into protective custody for up to 72 hours exclusive of weekends and holidays. If an abandoned child is found during the hours the court is open, the county or district attorney may file a petition immediately with a request for protective custody. The child, if placed in the custody of the Secretary, would be referred to a foster care contractor. If an abandoned child is found after normal working hours, law enforcement may place in the child in police protective custody. The Secretary has designated facilities and homes available to receive and care for children in emergency situations.

Petition filed

During that 72 hours, the prosecutor is provided information by law enforcement, SRS and others. Based on this information the prosecutor may file a petition alleging the child to be in need of care. The petition may include a request the court find reintegration is not a viable alternative, the parents unfit and terminate parental rights.

Notice of hearing

The parents are required to be notified of the hearing and served with a copy of the petition. If their whereabouts are unknown, the petitioner must demonstrate due diligence in locating the parent or nearest kin in order to provide this notice personally. If, despite due diligence, the parents can not be located, the court may authorize service by publication. The notice of hearing must be published once a week for two consecutive weeks in some newspaper authorized to publish legal notices in the county where the petition is filed.

Temporary Custody

If a parent appears and is unable to afford an attorney, an attorney may be appointed. The child is always represented by a guardian ad litem. Because 72 hours is insufficient to hear the merits of the case, at the temporary custody hearing the court considers what is immediately necessary to protect the health and welfare of the child. Temporary custody may not extend beyond 60 days unless extended by the court for good cause. If an abandoned infant is placed in the custody of the Secretary, the child will be referred to a foster care contractor until parental rights are terminated. The child may be moved from the emergency placement but, after the temporary custody hearing, an effort would be made to place the child in a home which, should parental rights be terminated, could become the baby's adoptive home. The permanency goal remain adoption unless the parents surfaced and expressed an interest in parenting the child.

Adjudication

The state through the county or district attorney presents evidence necessary to

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demonstrate the child is in need of care. The parents have an opportunity to appear and present evidence. Based on the evidence presented the court may find the child to be in need of care. The parents will be represented by an attorney appointed by the court. The child will be represented by a guardian ad litem.

Disposition

At any time after adjudication, the court must notify grandparents at their last known address or, if unknown, the closest relative of each of the child's parents whose address is known. The notice is required to be at least 10 days in advance of a hearing to determine whether to terminate parental rights. These individuals have an opportunity to come forward and be heard prior to the court issuing a dispositional order placing child in the custody of someone other than a parent. When the parent cannot be located with due diligence, personal service on the nearest blood relative must be attempted. If no blood relative is identified, service by publication may be required.

At the hearing, the prosecutor and guardian ad litem may present evidence. Prior to hearing a motion requesting termination of parental rights, the court must appoint an attorney to represent any parent who fails to appear. In a case where neither parent has been identified, each would be represented. Although a basis for determining a child is need of care, abandonment is not specifically mentioned as a consideration when terminating parental rights. However, the court may consider the parent's abandonment a form of neglect and may consider the parent's failure to support the child, maintain contact or communication with the child.

After terminating parental rights, the court may authorize an agency to consent to an adoption or may place the child directly with a prospective adoptive parent.

Either parent may appeal. In most instances the appeal must be filed within 30 days of the filing of the journal entry. Absent the filing of an appeal the child is now free for adoption. Although expedited for cases involving parental rights termination, an appeal takes approximately 18 months.

Adoption Procedure:

The prospective adoptive parents must file a petition to adopt the child. The petition includes information about the child, the prospective adoptive parents, consents from the court or agency. In the absence of background information on the child, an affidavit sets out efforts to obtain medical, genetic and social history of the child and the child's parents. The court sets the time and place of the hearing not less than 30 days nor more than 60 days from the date the petition is filed. The court may require notice of the hearing be provided during this time. Within 10 days of the hearing the prospective adoptive parents must submit a report of an assessment of the advisability of the adoption. The assessment is normally by a licensed social worker.

“Normal” Procedure when an infant is abandoned

Protective Custody

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During that 72 hours, the prosecutor is provided information by law enforcement, SRS and others. Based on this information the prosecutor may file a petition alleging the child to be in need of care. The petition may include a request the court find reintegration is not a viable alternative, the parents unfit and terminate parental rights.

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Adjudication

The state through the county or district attorney presents evidence necessary to demonstrate the child is in need of care. The parents have an opportunity to appear and present evidence. Based on the evidence presented the court may find the child to be in need of care. The parents will be represented by an attorney appointed by the court. The child will be represented by a guardian ad litem.

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214 S.W. 6th St., Suite 208, Topeka, KS 66603-3719 - Phone: 913-233-8601

Good afternoon and thank you for the opportunity to testify here today. I am here today in support of Substitute 652. Not only would this save the lives of newborn infants it would inadvertently save the lives of the desperate and frightened young parents by giving them an opportunity to place their babies in the hands of a nonbiased trained professional.

Attached is an article dated February 21, 2000 from Time Magazine entitled A Refuge for Throwaways. I would encourage you to take the time to read through it.

On behalf of all the members of Right To Life of Kansas please consider passage of this bill giving safe refuge to the unwanted newborns.

Cleta Renyer
Legislative Director



Affiliated with American Life League

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Planned Parenthood®

of Kansas and Mid-Missouri

Testimony by

Carla Norcott-Mahany

Kansas Public Affairs Director/Lobbyist

Planned Parenthood of Kansas and Mid-Missouri

before the

Federal and State Affairs Committee

of the

Kansas House

on March 30, 2000

in Support of Senate Bill 652

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Good morning. Thank you for the opportunity to offer testimony here today in support of Senate Bill 652. My name is Carla Norcott-Mahany. I am the Kansas Public Affairs Director and Lobbyist for Planned Parenthood of Kansas and Mid-Missouri. Our mission is to provide high quality and affordable reproductive health care, including family planning and related health care services, as well as comprehensive human sexuality education. Four of our 13 health centers are in Kansas.

We concur with the sponsors of Senate Bill 652 that this legislation is good public policy. The need for creating safe havens for the parents of newborns to relinquish custody, no questions asked, has been illustrated all too clearly by the recent incidents in Junction City and across the country. Furthermore, success rates for this fledgling legislative initiative in other states seem promising.

Social and behavioral science expertise may play a very important and appropriate role in your consideration of this bill. However, I will keep my remarks centered on the reproductive health aspects that have occurred to me and those of us at Planned Parenthood who have thought about SB 652 and its implications.

What is the root problem here? In our opinion, it is unplanned and unwanted pregnancy. That's something we know quite a lot about – how to prevent it, how to educate young people about it, and the importance of making available the full range of options needed if it happens.

Perhaps there would be no need for this legislation if:

- comprehensive, reality-based sex education were available to every student in Kansas,
- public funding supported more family planning services for poor women in communities throughout the state;
- public funding also allowed access to safe abortions across Kansas so women in crisis would no longer have to travel long distances, make special arrangements, and come up with funds they are hard pressed to find;
- and finally, if parental notification laws were abolished so that minors who fear the disapproval or retribution of their parents or guardians would be able to seek abortion services without the additional steps of obtaining court approval – or keeping the pregnancy a secret until birth, then doing whatever it takes to be sure it stays secret.

These are some of the remedies we would encourage you to consider in addition to SB 652.

Thank you.

House Fed. &
State Affairs

Date 3/30/00

Attachment No. 6

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