



Support Statement on SB357

“Pain Capable Unborn Child Protection Act”

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Maryland Right to Life wishes to convey its support for SB357.

SB357 is constitutionally sound and addresses a compelling state interest. This bill extends general protection to unborn children who are at least 20 weeks beyond fertilization (which is equivalent to 22 weeks of pregnancy—about the start of the sixth month) and capable of feeling the pain of their abortions.

There is abundant scientific evidence that by this point in development, the unborn child has the capacity to experience excruciating pain during typical abortion procedures. On this basis, the bill prohibits abortion after that point, except when an acute physical condition endangers the life of the mother. The bill spells out the procedural requirements that abortionists must follow when performing an abortion under these exceptions, including seeking to preserve the life of the child whenever this is feasible. The bill also creates specific requirements for the protection of infants who are born alive during these late abortions.

Abortions at this stage are performed using a variety of techniques, but most often by a method in which the unborn child’s arms and legs are twisted off by brute manual force, using a long stainless steel clamping tool. A medical illustration of this common method is posted here:

<https://www.nrlc.org/abortion/pba/deabortiongraphic/>

Some of the extensive scientific evidence that unborn children have the capacity to experience pain, at least by 20 weeks, is available online: www.nrlc.org/abortion/fetalspain/
<http://www.doctorsonfetalpain.com>

Late term abortions are not “rare.” At least 275 facilities offer abortions past 20 weeks fetal age. The number of late term abortions committed in Maryland is unknown due to the lack of state reporting requirements for abortionists. The January 2019 Marist Poll found that 75% of Americans support reasonable restrictions on abortion. 60 % of Democrats, as well as 61 % of those who identify as “pro-choice” support such restrictions.

We want to thank Senator Serafini for sponsoring this important bill. Should you have any questions, please contact me. Thank you for your consideration of MDRTL’s position on this vital legislation.

Respectfully,

Laura

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PAIN *of the* UNBORN

What does an unborn child feel during an abortion?

While an unborn child cannot verbally express the pain she experiences, all biological indicators suggest unborn children are capable of feeling pain by at least 20 weeks.

● 18 Days Brain

The brain begins to take shape only 18 days after conception. By 20 days, the brain has already differentiated into forebrain, midbrain, and hindbrain, and the spinal cord has started to grow.(1)

● 5 Weeks Pain Receptors

Four or five weeks after conception, pain receptors appear around the mouth, followed by nerve fibers, which carry stimuli to the brain. By 18 weeks, pain receptors have appeared throughout the body. Around week 6, the unborn child first responds to touch.(2, 3)

● 6 Weeks Cortex

In weeks 6-18, the cerebral cortex develops. By 18 weeks the cortex has a full complement of neurons. In adults, the cortex has been recognized as the center of pain consciousness.(3)

● 8 Weeks Thalamus

During weeks 8-16, the thalamus develops, functioning as the main relay center in the brain for sensory impulses going from the spinal cord to the cortex.(1)

“The neural pathways are present for pain to be experienced quite early by unborn babies.”

– Steven Calvin, perinatologist, University of Minnesota



Scientific evidence suggests abortion is excruciatingly painful for the unborn child.

“At 20 weeks, the fetal brain has the full complement of brain cells present in adulthood, ready and waiting to receive pain signals from the body, and their electrical activity can be recorded by standard electroencephalography (EEG)”

– Dr. Paul Ranalli, neurologist, University of Toronto

● 14-18 Wks Nerve Tracts

In week 18, nerve tracts connecting the spinal cord and the thalamus are established, and nerves from the thalamus first contact the cortex in week 20. Nerve fibers not routed through the thalamus have already reached the cortex by 14 weeks. (3,4)

● 18 Wks Stress Hormones

As early as 18 weeks, stress hormones are released by an unborn child injected by a needle, just as they are when adults feel pain. Hormone levels in those babies decrease as pain-relievers are supplied.(7)

● Before 18 Weeks?

Even before nerve tracts are fully established, the unborn child may feel pain; studies show anencephalic infants, whose cortex is severely reduced if not altogether missing, may experience pain as long as other neurological structures are functioning.(6)

● 20 Wks All Parts in Place

With pain receptors, spinal cord, nerve tracts, thalamus, and cortex in place, all anatomic links needed for pain transmission to the brain, for feeling pain, are present.

An unborn child at 20 weeks gestation “is fully capable of experiencing pain... Without question, [abortion] is a dreadfully painful experience for any infant subjected to such a surgical procedure.”

– Robert J. White, MD., Ph.D. professor of neurosurgery, Case Western Reserve University

Highest Pain Receptor Density Before Birth

Between weeks 20 and 30, an unborn child has more pain receptors per square inch than at any other time, before or after birth, with only a very thin layer of skin for protection.(4)

Pain Inhibition Not Fully Developed Until Later

Mechanisms that inhibit or moderate the experience of pain do not begin to develop until weeks 30-32. Any pain the unborn child experiences before these mechanisms form is likely worse than the pain an older child or adult experiences.(4)

The unborn’s experience of pain may actually be heightened

Dilation and Evacuation Abortion (D&E) of a 23 Week Old Fetus

