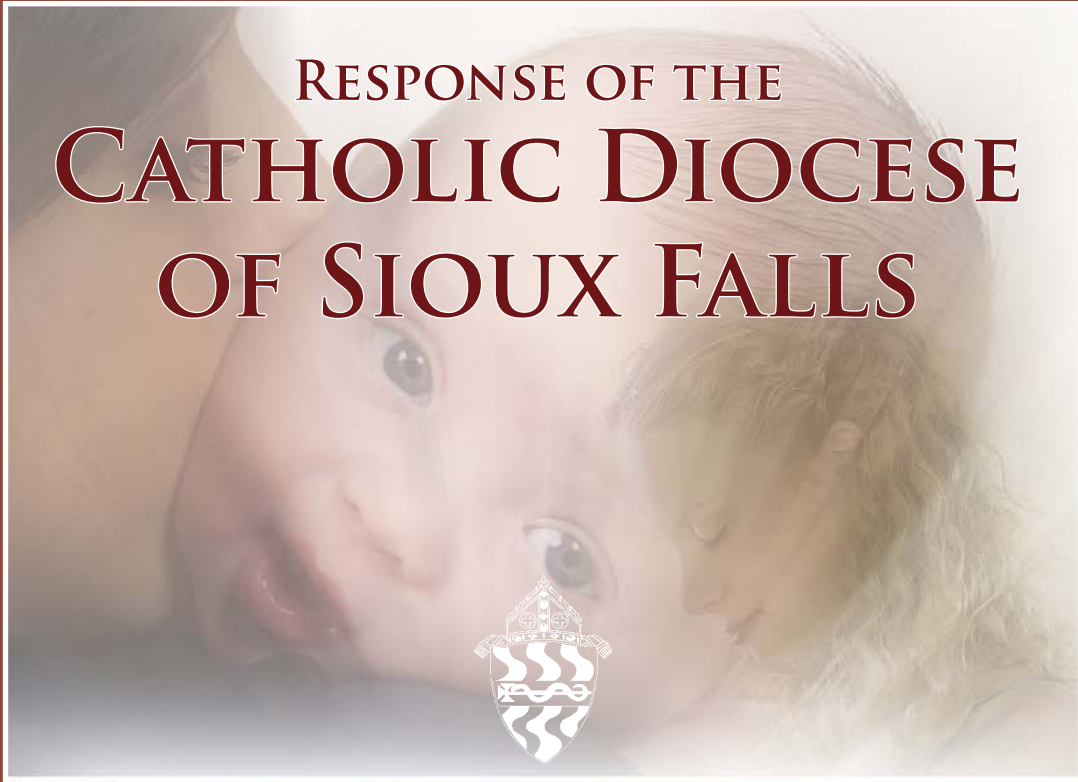


life into the world and caring for it through self-giving love. We pray also for those who work to

God our Father, source of all life, You have given us, as men and women created in your image and likeness, the great gift of bringing human



# RESPONSE OF THE CATHOLIC DIOCESE OF SIOUX FALLS

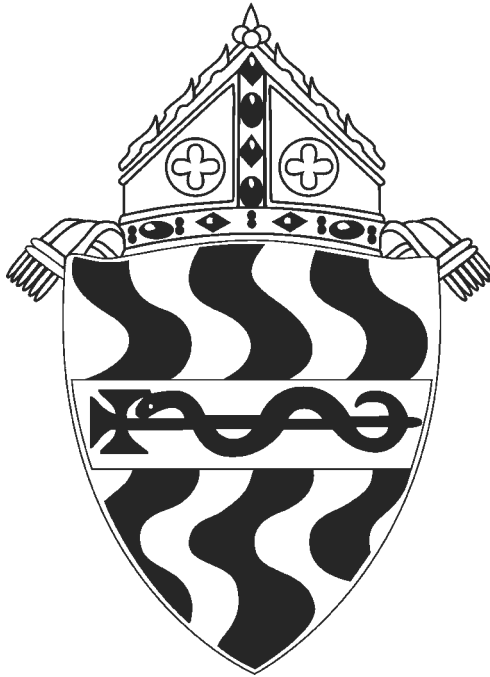


## TO THE WOMEN'S HEALTH & HUMAN LIFE PROTECTION ACT (HB 1215 – REFERRED LAW 6)

a battle to protect the most innocent and pure of our world: children yet to be born.

defend the culture of life. Anoint them with Your power to speak the truth in love. Send Your holy angels to protect us in this battle, for it is

Response of the  
CATHOLIC DIOCESE OF SIOUX FALLS



to the  
Women's Health and Human Life Protection Act  
*(House Bill 1215 - Referred Law 6)*

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# SUMMARY POINTS

## **Diocesan position on the Women's Health & Human Life Protection Act – HB 1215 (Section I.A.)**

- “Since the first century the Church has affirmed the moral evil of every procured abortion. This teaching has not changed and remains unchangeable.” (CCC #2271)
- The diocese supported HB 1215 during the 2006 legislative session, and continues to support this legislation as it goes to a ballot vote on November 7, 2006, because it is one of the most consistent pro-life bills to be proposed and then passed by a legislative body since the 1973 *Roe v. Wade* decision.
- When given an opportunity to help affirm a bill like HB 1215, and vote “yes” for life, we follow our Lord’s Gospel of Life and pray that God’s will be done, despite any foreseen or unforeseen obstacles before us, and even if those obstacles are legal ones.

## **Faithful citizenship & the legal rights of churches (Sections I.B. & I.C.)**

- As Catholic citizens we are called to participate, each according to his or her “position and role, in promoting the common good.” (CCC #1913)
- This is not a direction to “impose” our religion on others. Catholics who bring their moral convictions into public life do not threaten democracy, but rather enrich it. The separation of church and state does not require division between belief and public action or between moral principles and political choices, but rather protects the rights of believers and religious groups to practice their faith and act on and promote their values in public life.
- Because the ballot measure on HB 1215 is addressing a legislative issue, the church can support a campaign to affirm HB 1215 in the November 7, 2006, election.

## **Understanding HB 1215 (Section II.)**

- For many years, the South Dakota legislature has received testimony on the harmful effects and loss of life from abortion, and in 2005 the South Dakota Task Force to Study Abortion took an in-depth look at abortion in our State.
- The report of the task force helped prompt the introduction of HB 1215, a bill that the legislature then overwhelmingly passed with bipartisan support. Seventy per cent of all the legislators, both male and female, Democrat and Republican, voted for it.
- HB 1215 makes it a crime to specifically intend to terminate the life of an unborn human being.
- An exception in Section 4 prevents the criminal prosecution of physicians in cases where a child dies while trying to save the mother’s life, but physicians must try to preserve both lives.
- During the legislative session, there were attempts to amend HB 1215 to include exceptions for the “health” of the mother, rape and incest, and fetal anomalies, all of which were successfully defeated for solid pro-life reasons.

### **“Health” of the Mother: (Section II.D.2.)**

- The South Dakota Legislature clearly understood that a “health” of the mother exception would have made the rest of the bill worthless. The “health” exception is what has allowed abortion to be available on demand in our country because “health” has been interpreted by the courts to include any reason.

### **Rape and Incest: (Section II.D.3.)**

- Sexual assault is a terrible crime, and all victims must be treated with care and compassion and receive full medical attention.
- We cannot excuse the killing of children who are just as innocent and deserving



of life because their father has committed a terrible crime. Life conceived through less than ideal circumstances (i.e., out-of-wedlock, by in-vitro fertilization, etc.) or the tragic circumstances of rape or incest, does not somehow negate the dignity and worth, or very existence, of that child.

- If you believe that life begins at conception, and that life should be protected from that moment on, and then go on to say “except in the cases of rape and incest,” then you logically would also support the killing of the child after its birth. Either you believe that conception is the defining moment of life or you don’t. You cannot logically choose conception as the defining moment in non-rape cases, and birth as the defining moment in cases of rape and incest.
- If you support a rape and incest exception, then you must be prepared to also support an exception for the “health” of the mother - the exception that swallows the rule. For the reasons given for allowing an abortion in the cases of rape and incest are to protect the mental and emotional health of the mother, and if you allow protection of the mother’s mental and emotional health in the cases of rape and incest, you cannot reasonably deny it in other cases.
- Conceiving a child through the evil of rape or incest is unjust for the mother and the child. However, it is a far greater injustice to kill the innocent child. The injustice of abortion ends a life and there is no remedy for that. However, sustaining life for the child can have many positive outcomes that can help provide healing for the woman.
- Under HB 1215, there is a provision that allows victims of rape and incest to choose to receive high dosage contraception (commonly referred to as “emergency contraception”) to help ensure that conception does not take place as a result of the assault.

#### **Fetal Anomalies: (Section II.D.4.)**

- A preborn child with a disability or a terminal illness is no different than a child that has already been born who has a disability or a terminal illness – both deserve to be protected and treated with the same dignity and respect.

#### **Taking Action (Section III.)**

- In our battle against the evil of abortion, we are blessed as Catholics to have access to prayer and the Sacraments, fasting and reparation, and we encourage all Catholics to make recourse to these powerful means of grace for the affirmation of HB 1215.
- The diocese has developed a Prayer Card and Prayer Guide to be widely distributed so that we can unite in prayer across our diocese, state, and nation.

#### **Caring for women and children saved from abortion (Sections IV. & V.)**

- Considering the media coverage, and the educational efforts of both supporters and opponents of HB 1215 during the months leading up to a vote on November 7, 2006, we anticipate that many women and families will begin to come to terms with past and present abortion decisions, and seek support and help, and that many children will be saved from abortion. As Church, we need to be prepared to offer all post-abortive women and families compassionate care and be able to direct them to resources that will lead to healing. We also need to be prepared to help families care for the children saved from abortion. This booklet contains resources to assist with that care and support.

#### **Resources (Section VI.)**

- This booklet also contains other resources, such as Church teachings on the issues surrounding HB 1215, contact information for pregnancy centers and post-abortion counseling, fetal development information, adoption information, the text of HB 1215, and more.



# I. OUR CALL TO FAITHFUL CITIZENSHIP

## A. The diocesan position on the Women's Health and Human Life Protection Act (House Bill 1215 – Referred Law 6)

“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 is the inviolable right of every innocent being to life.” (Catechism of the Catholic Church #2270) “Since the first century the Church has affirmed the moral evil of every procured abortion. This teaching has not changed and remains unchangeable. Direct abortion, that is to say, abortion willed either as an end or a means, is gravely contrary to the moral law”, and “formal cooperation in an abortion constitutes a grave offense.” (CCC #2271-2272)

And while we must work ardently to educate our fellow citizens on the teachings of the faith so that they do not choose to have abortions, we also cannot sit idle when the laws of our state and nation deprive a category of human beings from protection simply because they are still in their mothers' wombs. What a tragedy that our laws support mothers and fathers in killing their own children.

Since abortion was legalized in the *Roe v. Wade* decision more than 30 years ago, over 45 million children nation-wide, including thousands in South Dakota<sup>1</sup>, have lost their lives to abortion. Women are suffering the physical, mental and emotional effects of abortion decisions. Families and our society are suffering from the effects of abortion. Because of this, the South Dakota legislature passed the Women's Health and Human Life Protection Act (hereinafter referred to as “HB 1215” and entitled “Referred Law 6” on the November 7, 2006 ballot), with 70% of the legislators voting for it. The Diocese of Sioux Falls supported HB 1215 during the 2006 legislative session, and continues to support it as it goes to a ballot vote on November 7, 2006, because it is one of the most consistent pro-life bills to be proposed and then passed by a legislative body since abortion was legalized.

Some say that passing HB 1215 was an extreme act because the bill prohibits all actions that intend to end the life of an unborn human being after the time that a pregnancy can be determined. But prior to *Roe v. Wade*, our state protected life in the womb, protected the mother's health, and protected the mother's relationship with her child. Misguided philosophies and trends, and the Supreme Court of the United States, denied South Dakota (and every other state) the right to provide this protection. That was an extreme act.

Others claim that the time is not ripe for this bill. The legislators, in passing this bill, have declared that the time has come to reclaim its right, and to carry out the sovereign duty of the state to protect every one of its citizens. As the 2005 South Dakota Task Force to Study Abortion (the “Task Force”) powerfully stated in its Report:

If there are any self-evident and universal truths that can act for the human race as a guide or light in which social and human justice can be grounded, they are these: that life has intrinsic value; that each individual human being is unique and irreplaceable; that the cherished role of a mother and her relationship with her child, at every moment of life, has intrinsic worth and beauty; that the intrinsic beauty of womanhood is inseparable from the beauty of motherhood; and that this relationship, in its unselfish nature, and, in its role in the survival of the human race, is the touchstone and core of all civilized society. This relationship, its beauty, its survival, its benefits to the mother and child, and its benefits to the State of South Dakota, and society as a whole, all rest in the self-evident truth that a mother is not the owner of her child's life, she is the trustee of it. (p. 67)

<sup>1</sup> We do not have the complete data on the number of abortions in South Dakota since the 1973 *Roe v. Wade* decision. However, we do have data from the South Dakota Department of Health Vital Statistics Reports from 1988 through 2004. During those 17 years, there were 15,363 abortions in our state, which, on average, is 903 abortions each year. This is the equivalent of one kindergarten classroom aborted each week.



As people of faith, Jesus calls us to protect the vulnerable: “Amen, I say to you, what you did not do for one of these least ones, you did not do for me.” (Matthew 25:45) And we are called to protect despite the opposition of others: “The Lord is with me; I am not afraid; what can mortals do against me? The Lord is with me as my helper; I shall look in triumph on my foes. Better to take refuge in the Lord than to put one’s trust in mortals.” (Psalm 118:6-8)

When given an opportunity to help affirm a bill like HB 1215, and vote “yes” for life, we follow our Lord’s Gospel of Life and pray that God’s will be done, despite any foreseen or unforeseen obstacles before us, and even if those obstacles are legal ones. For Scripture tells us: “Woe to those who enact unjust statutes and who write oppressive decrees” (Isaiah 10:1) and “For human beings this is impossible, but for God all things are possible.” (Matthew 19:26) We must also take this opportunity, when the issue of abortion is at the forefront in our state and nation, to educate all citizens on the beautiful teachings of our faith on the gift of life and to convert hearts and minds on the tragedy of abortion.

## **B. The civic responsibility of Catholics with regard to HB 1215**

As Catholic citizens we are called to participate, each according to his or her “position and role, in promoting the common good.” (CCC #1913) In the document, *Living the Gospel of Life: A Challenge to American Catholics*, the bishops of the United States emphatically state: “We encourage *all citizens*, particularly Catholics, to embrace their citizenship not merely as a duty and privilege, but as an opportunity meaningfully to participate *in building the culture of life*. Every voice matters in the public forum. Every vote counts. Every act of responsible citizenship is an exercise of significant individual power.” (No. 34)

Part of this civic responsibility is: (1) registering to vote, (2) educating yourself on the issues, (3) sharing what you know on the issues with others, (4) going to the voting booth on election day to exercise your faithful citizenship duty, and (5) encouraging others to do the same.

Some state they are personally opposed to the evil of abortion, but that they are not comfortable “forcing their views on others,” or that they do not think that “morality should be legislated.” Let us apply these opinions to other areas of concern. What if someone said, “I am personally opposed to murder/slavery/stealing/rape, but I cannot force my personal views on the rest of society, and the government has no business in legislating morality.” Most South Dakotans of good will recognize the inherent contradiction in these statements, for all laws have a moral element to them.

As Pope John Paul II declared: “What is urgently called for is a general mobilization of consciences and a united ethical effort to activate a great campaign in support of life. All together, we must build a new culture of life: new, because it will be able to confront and solve today’s unprecedented problems affecting human life; new, because it will be adopted with deeper and more dynamic conviction by all Christians; new, because it will be capable of bringing about a serious and courageous cultural dialogue among all parties.” (*Evangelium Vitae*, 95)

This is not a direction to “impose” our religion on others. Catholics who bring their moral convictions into public life do not threaten democracy, but rather enrich it. The separation of church and state does not require division between belief and public action or between moral principles and political choices, but rather protects the rights of believers and religious groups to practice their faith, and act on and promote their values in public life.

We all have the ability to choose between two roads: one that leads to life, and the other, to death. (Dt. 30:19) Let us choose life, and bring others to an understanding and respect for all human life so that they can choose life too. Participation in the political process is one way of doing this.

## **C. What we can legally do as Church to support HB 1215**

Churches have a right and a duty to speak to issues and attempt to influence legislation. There are Internal Revenue Service (“IRS”) regulations with regard to political activity, but churches are allowed to get involved in legislative activity without jeopardizing their tax-exempt status. IRS regulations state that legislative involvement, which is referred to as “lobbying activity”, is permissible as long as it does not make up a “substantial” part of a church’s overall activity.



However, churches are prohibited from supporting or opposing, whether directly or indirectly, any particular *party* or *candidate* for public office. To determine whether something is legal, the first question to ask is whether the activity is meant to address an issue or legislation, or a person or party. If the activity is addressing an issue or legislation, it most likely is permissible.

Because the ballot measure on HB 1215 is addressing an issue, the church can support a campaign to affirm HB 1215 in the November 7, 2006, election. Here are some practical guidelines on what the Church can do:

**Prayer:** Churches can pray, and call on its parishioners and the public to pray for the passage of HB 1215, in hope of ending abortion in South Dakota and possibly the nation.

**Preaching:** Our Church leaders can preach about abortion, and specifically HB 1215, and can encourage parishioners to vote “yes” for HB 1215.

**Meetings and events:** Churches can sponsor an event to educate the public and encourage them to vote “yes” for HB 1215.

**Educational tools:** Churches can distribute educational books or pamphlets or hang up posters on the issue of abortion, and specifically on HB 1215.

**Contributions:** Churches can make contributions to help support the effort to affirm HB 1215.

**Voter registrations:** Churches can assist and encourage parishioners and the public to be active and faithful participants in civil government and can sponsor voter registration drives.

**Voters’ guides:** Churches can distribute non-partisan voting information that contains information about a collection of candidates so long as it does not advocate for or against any particular candidate.

If you have any questions on permissible lobbying activity, please visit the Catholic Advocate Network (CAN) website at [www.sfcatholic.org/can](http://www.sfcatholic.org/can), or contact the Respect Life Office at 605-988-3755.

#### D. What we are up against

Saints Peter and Paul are two of the greatest Catholic warriors of all time who fought to proclaim the truths of Jesus Christ and His Church to the world. Both realized that they were in a great spiritual battle of good versus evil, and both were martyred for their faith and willingness to fight this battle.

As Catholics, we look to such saints as vivid reminders that Satan is still the “ruler of this world” (John 12:31), and “he was a murderer from the beginning and does not stand in truth, because there is no truth in him. When he tells a lie, he speaks in character, because he is a liar and the father of lies.” (John 8:44)

Today we are still called to fight the battle against the evil and lies of Satan, and one of his greatest lies is abortion. We must draw our strength from the Lord and his mighty power to fight against the evil of abortion, against the loss of life, and against the harm it causes women and families. This is a battle not directed against human beings, but against the spiritual powers of evil that influence thoughts and actions.

Pope John Paul II talked about this in his encyclical, *The Gospel of Life*: “This situation, with its lights and shadows, ought to make us all fully aware that we are facing an enormous and dramatic clash between good and evil, death and life, the “culture of death” and the “culture of life”. We find ourselves not only “faced with” but necessarily “in the midst of” this conflict: we are all involved and we all share in it, with the inescapable responsibility of choosing to be unconditionally pro-life.” (*Evangelium Vitae*, 28).



This is why our efforts must be grounded in prayer, fasting and reparation. Let us follow Saint Paul's advice in Ephesians 6:10-20:

Finally, draw your strength from the Lord and from his mighty power. Put on the armor of God so that you may be able to stand firm against the tactics of the devil. For our struggle is not with flesh and blood but with the principalities, with the powers, with the world rulers of this present darkness, with the evil spirits in the heavens.

Therefore, put on the armor of God, that you may be able to resist on the evil day and, having done everything, to hold your ground. So stand fast with your loins girded in truth, clothed with righteousness as a breastplate, and your feet shod in readiness for the gospel of peace. In all circumstances, hold faith as a shield, to quench all [the] flaming arrows of the evil one. And take the helmet of salvation and the sword of the Spirit, which is the word of God.

With all prayer and supplication, pray at every opportunity in the Spirit. To that end, be watchful with all perseverance and supplication for all the holy ones and also for me, that speech may be given me to open my mouth, to make known with boldness the mystery of the gospel for which I am an ambassador in chains, so that I may have the courage to speak as I must.



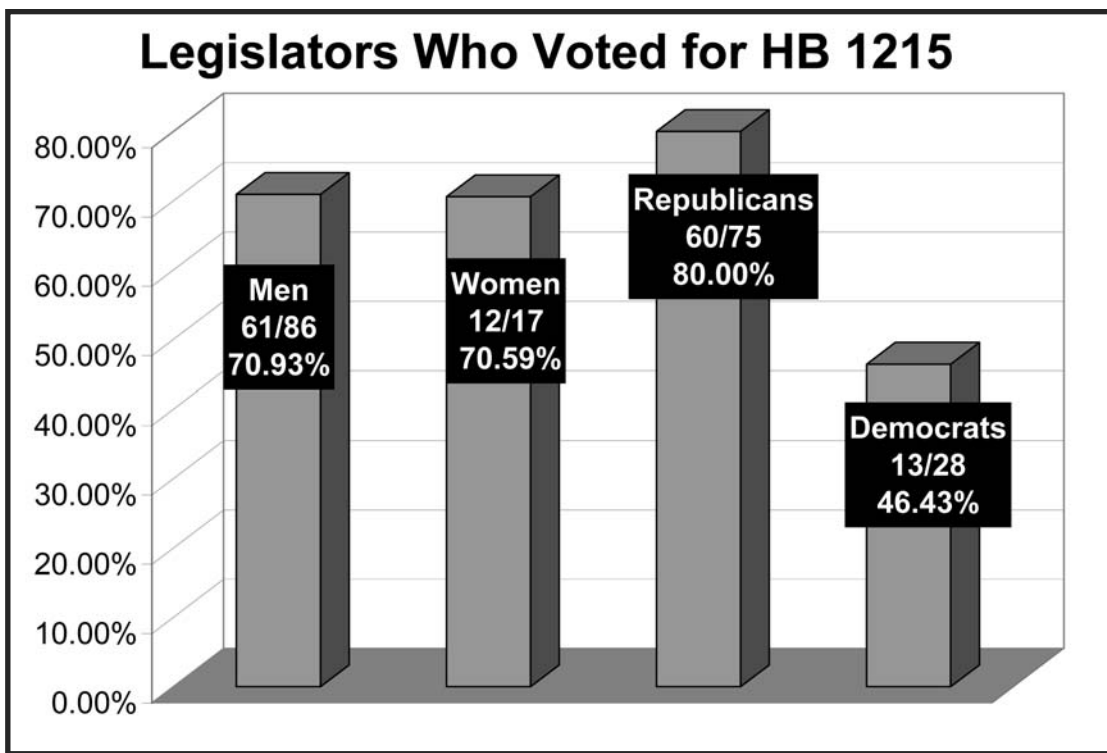
# II. UNDERSTANDING HOUSE BILL 1215

## A. Background

For many years the South Dakota legislature has received testimony on the harmful effects and loss of life from abortion in our state. Many pro-life bills have been passed and many pro-abortion bills defeated. However, a crucial bill was passed in March 2005 (House Bill 1233) with 90% of the legislators voting in favor of it. The Governor signed this bill into law creating the South Dakota Task Force to Study Abortion. Seventeen members were appointed to the Task Force by the Governor, the Speaker of the House, and the President of the Senate, with representation from both sides of the issue, and from both major political parties.

Four full days of hearings were held throughout the fall of 2005. During these hearings, members heard live testimony from approximately fifty-five witnesses, including thirty-two experts, and considered the written reports and testimonies from many others. The Task Force reviewed over 3,500 pages of written materials, studies, reports, and testimonies, including statements from approximately 2,000 women who have had abortions who detailed their experiences, trauma, and the impact abortion has had in their lives. Over ninety-nine percent of the women testified that abortion is destructive to the rights, interests and health of women and that abortion should not be legal.<sup>2</sup> All of the documents are of public record, and were considered by the Task Force in reaching its findings, conclusions and recommendations, which are contained in the Report of the South Dakota Task Force to Study Abortion (the "Report"). The complete Report can be viewed on the CAN website at: [www.sfcatholic.org/can](http://www.sfcatholic.org/can).

This Report helped prompt the introduction of the Women's Health and Human Life Protection Act (HB 1215) to the South Dakota Legislature in January 2006, which then passed overwhelmingly in both the House and the Senate, and was signed into law by the Governor on March 6, 2006.<sup>3</sup>



<sup>2</sup> Report of the Task Force to Study Abortion, State of South Dakota, December 2005, pp. 6-7.

<sup>3</sup> The full text of HB 1215 can be found in the Resources Section (VI.) below.

However, pro-abortion individuals and groups, such as Planned Parenthood and the inappropriately named “South Dakota Campaign for Healthy Families”, gathered signatures and filed a petition with the Secretary of State. Therefore, HB 1215 will be referred to the citizens of South Dakota for a ballot vote on November 7, 2006, under the title “Referred Law 6”. A “Yes” vote on Referred Law 6 will affirm and uphold HB 1215, while a “No” vote will kill this bill.

## **B. HB 1215 protects human life**

A fundamental reason for the Church’s consistent and vigorous opposition to laws and decisions allowing abortions is that it is the unjust killing of a human person, and it is the duty of the state to protect all human life.

Scientific evidence, especially the body of science developed in the 30 years since the *Roe v. Wade* decision, supports the conclusion that from the moment the sperm meets the egg (conception) there is a whole, separate, unique and living human person.<sup>4</sup> The development of this human life is continuous from conception to birth and beyond. The existence of human life is not determined by implantation in the mother’s womb, or any other defining moment during pregnancy.

While science defines the beginning of life, it does not answer the question of when human life deserves legal protection by the state from those who may cause harm or death. This was the fundamental issue that our state legislators decided when voting for HB 1215, which protects our preborn brothers and sisters from any action by a person “with the specific intent of causing or abetting the termination of the life of an unborn human being.” (HB 1215, Section 2)

Efforts were made during session to amend the bill to include exceptions for the “health” of the mother, rape and incest, and fetal anomalies, all of which were successfully defeated for solid pro-life reasons. (See Section D. below.) The result is one of the most consistent pro-life bills to be proposed and then passed by a legislative body since the *Roe v. Wade* decision.

If HB 1215 becomes the law of South Dakota, persons will be held criminally liable for killing preborn children, unless their death is the result of a medical procedure intended to save the mother’s life. That means that South Dakota children will no longer be threatened with death during their entire life in the womb, but will be protected from the time at which their life can be detected through modern medical testing (which currently is approximately 5-10 days after conception) throughout the remainder of their life.

## **C. HB 1215 protects women and families**

House Bill 1215 not only protects the life of the child, but also the health and well-being of the mother, the rest of the family members, and society. The legislature received and reviewed testimony and documents from a number of distinguished experts in the field of obstetrics and gynecology, sociology, psychiatry, psychology and human relations, medical ethics, public health, and human biology. In addition, they received a vast amount of testimony from post-abortive women.

Through the evidence received, some of the negative mental health effects of abortion include: guilt; post-abortion anger and resentment; anxiety, including feelings of tension, physical responses (dizziness, pounding heart, upset stomach, headaches), worry about the future, difficulty concentrating, and disturbed sleep; Post Traumatic Stress Disorder (PTSD); psychological numbing; symptoms of depression, including sad moods, sudden and uncontrollable crying episodes, low self-esteem, sleep, appetite, and sexual disturbances, reduced motivation, and disruption in interpersonal relationships. In a recent study, women whose first pregnancies ended in abortion were 65% more likely to score in the “high risk” range for clinical depression, compared to women whose first pregnancy resulted in a live birth. Other effects include: suicidal ideation; substance abuse; relationship problems; parenting difficulties, including reduced parental responsiveness to child needs, attachment difficulties, parental anxiety about child well-being, and other problems. Another study found that compared to women with no history of induced abortion, those with one prior

<sup>4</sup>Report pp. 22-30.



abortion had a 144% higher risk for physical child abuse, but a history of one miscarriage or stillbirth was not associated with increased risk of child abuse.<sup>5</sup>

There are also many physical health risks associated with abortion, including, but not limited to: infection; fever; abdominal pain and cramping; bleeding; hemorrhage; blood transfusion with its subsequent risks; deep vein thrombosis; pulmonary or amniotic fluid embolism; injury to the cervix, vagina, uterus, Fallopian tubes, ovaries, bowel, bladder, and other internal organs; anesthesia complications (which are higher with general anesthesia); failure to remove all the contents of the uterus (leaving behind parts of the baby or placenta) resulting in a need to repeat the surgery; possible hysterectomy (loss of the uterus and subsequent infertility); allergic reactions to medicines; misdiagnosis of a tubal, abdominal, or molar pregnancy (all of which necessitate different treatment), and even death. In addition, women who have had abortions are at higher risk for placenta previa (a condition that necessitates a c-section and has higher rates of complications) and pre-term birth in subsequent pregnancies (births before 37 weeks gestation, many of which require neonatal intensive care unit stays for babies and higher rates of death).<sup>6</sup>

We also cannot forget the spiritual consequences of the act of abortion on those involved. “Formal cooperation in an abortion constitutes a grave offense. The Church attaches the canonical penalty of excommunication to this crime against human life.” (CCC #2272) In doing so, “the Church does not thereby intend to restrict the scope of mercy. Rather, she makes clear the gravity of the crime committed, the irreparable harm done to the innocent who is put to death, as well as to the parents and the whole of society.” (CCC # 2272)

House Bill 1215 protects women from these adverse effects and dangerous risks. In addition, it has been shown that fathers can experience similar adverse effects from abortion, and that siblings and other relatives can also be affected. Many times, others pressure the woman into having an abortion, and afterward come to terms with their cooperation in the child’s death.

We must also remember that under the law, fathers have no right to protect their own children from abortion. No matter how much they may want their son or daughter, if the child’s mother chooses to kill the child in her womb, there is absolutely nothing that the father can do. Parents of the mother or father also have very few rights to protect their own children from the harms of abortion, or their own grandchildren from death by abortion. There can be many adverse effects on these family members who longed to love and care for the child.

#### **D. HB 1215 and the typical exceptions**

##### **1. What if the mother’s life is in danger?**

With specific regard to the life of the mother, Section 4 of HB 1215 states: “No licensed physician who performs a medical procedure designed or intended to prevent the death of a pregnant mother is guilty of violating section 2 of this Act. However, the physician shall make reasonable medical efforts under the circumstances to preserve both the life of the mother and the life of her unborn child in a manner consistent with conventional medical practice.” This section prevents criminal prosecution of physicians in cases where a child dies while trying to save the mother’s life, but also requires that physicians try to preserve both lives.

In Catholic teaching, a distinction is made between a “direct” abortion and an “indirect” abortion. The Catechism states: “Since the first century the Church has affirmed the moral evil of every procured abortion. This teaching has not changed and remains unchangeable. Direct abortion, that is to say, abortion willed either as an end or a means, is gravely contrary to the moral law....” (#2271)

Therefore, a medical procedure to save the life of the mother must be something other than the direct killing of the child (such as removing a cancerous uterus or removing part of the fallopian tube due to an ectopic pregnancy). If the only medical procedure to be undertaken is the abortion of the child, it would be considered a “direct” abortion, and wrong under Catholic moral teachings.

<sup>5</sup> Report p. 43-46

<sup>6</sup> Report p. 48



However, if the medical procedure is something other than the abortion of the child, and all efforts are made to save the life of the child, but the child dies as the unintended result of the procedure, it would be considered an “indirect” abortion. Under Section 4 of HB 1215, if the intent of the physician is to save the mother, not kill the child, and the physician tries to save both, he or she will not be criminally liable for the unintended death of the child.

## 2. What about the “health” of the mother?

There were attempts to amend HB 1215 to include a “health of the mother” exception. These attempts were denied because the South Dakota Legislature clearly understood that this exception would have made the rest of the bill worthless. The “health” exception, as defined by the United States Supreme Court, has allowed abortion on demand in our country because “health” has been interpreted to include any reason. The Court stated that in determining whether an abortion is necessary for a woman’s health, a doctor’s judgment may be exercised in the light of all factors (physical, emotional, psychological, familial, and the woman’s age) relevant to the well-being of the patient.

The result is that most physicians who perform abortions in our State do so with little prior consultation with the woman<sup>7</sup>, and for reasons that are not directly related to the woman’s “health.” For example, according to the 2004 South Dakota Department of Health Vital Statistics Report, the reason listed for 45.1% of all abortions was “The mother did not desire to have the child.” The second most often listed reason (31.1%) was “The mother could not afford the child.”

## 3. What about cases of rape and incest?

Sexual assault is a terrible crime, and all victims must be treated with care and compassion and receive full medical attention. As a society, we must educate victims of the assistance available to them, and assure them that seeking help is essential. And the assailant must be prosecuted to the fullest extent of the law.

This issue is so emotionally charged that people often have a difficult time talking about it. Couple the crime with a resulting pregnancy, however rare<sup>8</sup>, and some people, even those who would otherwise classify themselves as “pro-life”, let their emotions cloud their judgment and compromise their defense of the child in the womb, as well as their protection of women and families from the many harms of abortion.

We must always remember that there are two people who need our care – the woman and her child. We cannot excuse the killing of children who are just as innocent and deserving of life because their father has committed a terrible crime. Life conceived through less than ideal circumstances (i.e., out-of-wedlock, by in-vitro fertilization, etc.) or the tragic circumstances of rape or incest, does not somehow negate the dignity and worth, or very existence, of that child.

And if you believe that life begins at conception, and that life should be protected from that moment on, and then go on to say “except in the cases of rape and incest,” then you logically would also support the killing of the child after its birth. Either you believe that conception is the defining moment of life or you don’t. You cannot logically choose conception as the defining moment in non-rape cases, and birth as the defining moment in cases of rape and incest.

In addition, if you support a rape and incest exception, then you must be prepared to also support an exception for the “health” of the mother - the exception that swallows the rule. For the reasons given for allowing an abortion in the cases of rape and incest are to protect the mental and emotional health of the mother. If you allow protection of the mother’s mental and emotional health in the cases of rape and incest, you cannot reasonably deny it in other cases in which the mother’s mental or emotional health may be adversely affected by the pregnancy.

<sup>7</sup> Report pp. 14-19.

<sup>8</sup> According to the 2004 South Dakota Department of Health Vital Statistics Report, 1.8% of the women listed rape or incest as the reason for their abortion.



Conceiving a child through the evil of rape or incest is unjust for the mother and the child. However, it is a far greater injustice to kill the innocent child. The injustice of abortion ends a life and there is no remedy for that. However, sustaining life for the child can have many positive outcomes that can help provide healing for the woman. One rape victim who became pregnant brought her daughter with her to testify before the legislature. She shared that choosing life for her child has brought healing and love. While other victims of sexual assault who have had abortions have stated that the abortion was a second assault on their bodies, and caused them even greater harm because they came to realize that they cooperated in the killing of their own child. Let us not forget that regardless of the father's identity, the woman is still the mother, and the baby is still her child.

Finally, if we are successful in educating women so that they seek help immediately following a sexual assault, then they may have the opportunity to prevent conception. Section 3 of HB 1215 has a provision that specifically allows for the "sale, use, prescription, or administration of a contraceptive measure, drug or chemical, if it is administered prior to the time when a pregnancy could be determined through conventional medical testing." This means that victims of rape and incest can choose to receive high dosage contraception (commonly referred to as "emergency contraception") to help ensure that conception does not take place as a result of the assault.

It is a clear teaching of the Catholic faith that "every action which, whether in anticipation of the conjugal act, or in its accomplishment, or in the development of its natural consequences, proposes, whether as an end or as a means, to render procreation impossible is intrinsically evil." (CCC #2370, *Humanae Vitae*, 14). Because rape is an act of violence that does not involve a voluntary act of sexual intercourse on the part of the victim, the Church's prohibition against deliberate suppression of ovulation to prevent pregnancy from a free act of sexual intercourse does not apply. Therefore, Catholic teaching allows women who have been raped to act in self-defense against the lingering effects of this unjust aggression and receive treatments to suppress ovulation and incapacitate the sperm. One way is through the use of anovulatory drugs also known as "emergency contraception." (For more information, see Ethical and Religious Directives for Catholic Health Care Services, Directive 36.)

#### 4. What about fetal anomalies?

Abortion supporters often offer other examples of unfortunate circumstances, such as the inability of a child to live outside the womb due to severe deformities, or a child with Down Syndrome, to support their position that abortion should remain legal. However, a preborn child with a disability or a terminal illness is no different than a child that has already been born who has a disability or a terminal illness – both deserve to be protected and treated with the same dignity and respect.

As Martin Ginsberg, New York State Assemblyman and polio victim, in a 1969 legislative debate on a proposed bill permitting abortion for fetal abnormalities, stated: "What this bill says is that those who are malformed or abnormal have no reason to be a part of our society. If we are prepared to say that a life should not come into this world malformed or abnormal, then tomorrow we should be prepared to say that a life already in this world which becomes malformed or abnormal should not be permitted to live."

The Catechism clearly speaks to this issue when teaching on the subject of euthanasia: "Whatever its motives and means, direct euthanasia consists in putting an end to the lives of handicapped, sick, or dying persons. It is morally unacceptable. Thus an act or omission which, of itself or by intention, causes death in order to eliminate suffering constitutes a murder gravely contrary to the dignity of the human person and to the respect due to the living God, his Creator. The error of judgment into which one can fall in good faith does not change the nature of this murderous act, which must always be forbidden and excluded." (#2277)

# III. TAKING ACTION

## A. Our Catholic tools of the sacraments and prayer

In our battle against the evil of abortion, we are blessed as Catholics to have access to the Sacraments and prayer, and fasting and reparation, and we encourage all Catholics to make recourse to these powerful means of grace for the affirmation of HB 1215. As you know, popes and saints throughout history have exhorted the faithful to pray more fervently (often recommending great devotions like Eucharistic Adoration, the Rosary, the Divine Mercy Chaplet, Novenas, and the Stations of the Cross) and to receive the Sacraments more frequently (greater attendance at daily Mass and more visits to the confessional) when there is a particular intention of especially great importance. Our hope is that Catholics will use these gifts, and in so doing, give immeasurable aid to the campaign to affirm HB 1215. This battle cannot be won without the grace of God and intensification in the prayer and sacramental lives of everyone will bring many graces.

## B. Our Lady of Guadalupe: Protectress of the Preborn

Mary, the Blessed Mother of Jesus, in her appearance as Our Lady of Guadalupe, is the chosen patroness of this diocesan campaign to affirm HB 1215, for it is in this appearance that Mary was pregnant with the child Jesus.

In 1999, Pope John Paul II, in his homily from the Solemn Mass at the Basilica of Our Lady of Guadalupe, during his third visit to the sanctuary, declared the date of December 12<sup>th</sup>, as a Liturgical Holy Day of the Feast of our Lady of Guadalupe. During the same visit, Pope John Paul II entrusted the cause of life to her loving protection, and placed under her motherly care the innocent lives of children, especially those who are in danger of not being born.

Let us turn to Our Lady of Guadalupe as the protector of this campaign and seek her intercession to defend life and protect mothers against the many harms of abortion. She is the obedient Virgin, the loving Mother, the gentle spouse, and the charitable woman. Therefore, let us ask Our Lady of Guadalupe, Mother of the Americas, to pray for us in this campaign.

## C. Diocesan aids

### 1. Diocesan prayer for HB 1215

The Catechism of the Catholic Church states: “Prayer is a vital necessity.” (#2744) Everything we do to build a culture of life, including any efforts to affirm HB 1215, must be centered upon prayer and the discernment of God’s will. Following is the official diocesan prayer card for a “yes” vote on HB 1215, which will be widely distributed throughout the diocese, and is available for printing online at [www.sfcatholic.org/can](http://www.sfcatholic.org/can).



## PRAYER TO AFFIRM HOUSE BILL 1215 - REFERRED LAW 6

**G**od our Father, source of all life, you have given us, as men and women created in your image and likeness, the great gift of bringing human life into the world and caring for it through self-giving love. Sadly, many of us are influenced by the culture of death, which destroys life rather than cares for it. Hear our prayer: through the power of your Son's death and resurrection bring victory to those who seek to promote the culture of life through the Women's Health and Human Life Protection Act (House Bill 1215 - Referred Law 6).

Lord, You know the mothers, fathers, physicians and others who have been involved in the evil of abortion. Grant that they may come to know and receive Your mercy and forgiveness. Through the power of the Holy Spirit touch their hearts, heal their wounds, comfort their grief and open their eyes to the truth.

We pray also for those who work to defend the culture of life. Anoint them with Your power to speak the truth in love. Send Your holy angels to protect us in this battle, for it is a battle to protect the most innocent and pure of our world: children yet to be born.

We ask this through the intercession of Our Lady of Guadalupe, Patroness of the Americas, and in the Name of Jesus who is Lord forever and ever.  
Amen.



### 2. Prayer guide

The diocese is also offering a prayer guide as a specific way for Catholics and others in South Dakota and elsewhere to unite in prayer for life and its protection from all attacks, and to specifically pray for the campaign to affirm HB 1215 by a “yes” vote on November 7, 2006.

You can use this Prayer Guide to pray individually or in groups, out loud (such as in an organized prayer service), or silently (such as during a Holy Hour before the Blessed Sacrament). The hope is that hundreds, even thousands, of people will join in prayer throughout the coming months, “for where two or three are gathered together in my name, there am I in the midst of them.” (Matthew 18:20)

Please pray and distribute this Prayer Guide widely. A full text is available for printing and distribution at [www.sfcatholic.org/can](http://www.sfcatholic.org/can).

### 3. Voter registration guide

A voter registration drive is an opportunity to participate in the political process as encouraged in the statement from the United States Conference of Catholic Bishops: *Faithful Citizenship: A Catholic Call to Political Responsibility* (2004). Parishes provide an ideal setting for voter registration efforts, which in turn encourage parishioners to embrace their right and duty to share in the political life.



Voter participation in a democratic society is essential in order to maintain a just society. If we expect issues crucial to our Catholic faith to be addressed in the public arena, then we must be willing to turn out at the polls and vote for candidates and ballot initiatives that most embrace the social justice teachings of our faith. We have the unique opportunity and privilege to engage in a democratic process, one that many people throughout the world do not enjoy. In order to participate, citizens must first register to vote.

For more information, and to view the entire text of the diocesan Voter Registration Handbook, please visit the Political Responsibility page of the CAN website at [www.sfcatholic.org/can](http://www.sfcatholic.org/can).

#### 4. Catholic Advocate Network

The Catholic Advocate Network (“CAN”) is the grassroots public policy initiative of the diocese. Its motto is: “You CAN Make a Difference.” The network is centered upon the commitment and dedication of individuals from across our diocese, called Legislative Liaisons, who develop their own network of CAN members at the parish level. Information and alerts are passed on by the diocese through emails and other means to Legislative Liaisons who then pass the information on to their parish networks.

The CAN website is meant to aid the diocese, Legislative Liaisons, CAN members, and other interested individuals in their lobbying efforts. To learn more, please visit [www.sfcatholic.org/can](http://www.sfcatholic.org/can). The CAN Legislative Liaison Handbook, the Task Force Report, links to HB 1215 and accompanying information, faithful citizenship documents, and much more can be found on the website.

#### D. Giving to the cause

Please consider giving your time, talent or treasure to the state-wide efforts to affirm HB 1215. There are abundant opportunities, whether it be at the diocesan, community, or parish level. Please contact your pastor, parish Respect Life Representative, or the Respect Life Office for more information on helping with the diocesan efforts.

In addition, citizens from across South Dakota, from different faiths and all walks of life (including farmers, pastors, doctors, teachers, lawyers, counselors, and many others) are joining together to help ensure a “yes” vote on HB 1215 (Referred Law 6). They have formed a citizen led group called “Vote Yes For Life”, and are educating the citizens of our state on HB 1215 and the need to get to the polls to vote “yes” on November 7, 2006. Part of the educational campaign is a powerful DVD with testimonies from South Dakota women.

Vote Yes For Life will be countering the pro-abortion forces in our state, including Planned Parenthood and the inappropriately named “South Dakota Campaign for Healthy Families”, both of which were responsible for collecting signatures to place HB 1215 on the ballot in hopes of defeating it. The opposition is well funded, receiving money from pro-abortion individuals and groups from across the country. Funds and volunteers are needed to help this coalition educate all South Dakotans about the truths of abortion and this bill, and to dispel the myths and fear tactics of the opposition. You can learn more, view the DVD, and sign up to help at [www.voteyesforlife.com](http://www.voteyesforlife.com).



# IV. CARING FOR POST-ABORTIVE WOMEN & FAMILIES

Considering the media coverage, and the educational efforts of both supporters and opponents of HB 1215 during the months leading up to a vote on November 7, 2006, we anticipate that many women and families will begin to come to terms with past and present abortion decisions, and seek support and help. As Church, we need to be prepared to offer all post-abortion women and families compassionate care, and be able to direct them to resources that will lead to healing.

Catholic Family Services has offices throughout our diocese with staff members trained in post-abortion counseling. If anyone is aware of someone who has had an abortion experience and is seeking support, or you believe that they need help, please call: 1-800-700-7867 or visit their website at [www.sfcatholic.org](http://www.sfcatholic.org).

Abortion is a loss and must be grieved in order for healing to occur. A significant part of the healing process is understanding and accepting God's unconditional love and forgiveness. Sensitive and trained clergy and counselors are available to help individuals journey through this loss and pain to wholeness. Project Rachel is one program offered by Catholic Family Services, and is open to anyone from any religion, denomination, race, or age suffering emotionally, physically or spiritually because of an abortion. All information and names are held in strict confidence. Women who are experiencing emotional, physical or spiritual distress, guilt, reluctance to begin a new relationship, or concern about your relationship with God because of an abortion should consider Project Rachel.

Because persons suffering from abortion most often confide in family or friends before seeking professional help, it is important for all of us to know what to say, and what not to say, to someone who has been involved in an abortion. Following are some practical guidelines:<sup>1</sup>

- We should not condemn them for making an immoral choice, but instead remind them that sins can be forgiven.
- We should not deny that they lost a child, but instead give them hope that they can be healed and reconciled with God and their child.
- We should not encourage them to blame others or push them to forgive others for their role in the abortion, but instead allow them to vent their anger while looking for the right time to encourage forgiveness and "letting go" of their anger.
- We should not insist that they did the "right" or "best" thing at the time, but instead allow them to regret their decision and encourage them to grow and learn from their tragic mistake, and use their story to help others.
- We should not suggest that they have another child to make up for the one that was lost, but instead encourage them to entrust their child to God's care and give them hope that someday they will be able to ask for, and receive, their child's forgiveness.
- Finally, we need to encourage them over and over again to seek the help of post-abortion counselors or peer support groups, give them as much referral information as they are comfortable with, check in with them to see how they are doing, and continue to be there for them as they work through the healing process.

<sup>1</sup> Guidelines taken from the Elliot Institute website article "DOs & DON'Ts", found at [www.afterabortion.org](http://www.afterabortion.org).



# V. CARING FOR THE CHILDREN • SAVED FROM ABORTION

Some individuals, and pro-abortion organizations such as Planned Parenthood, claim that regulating abortion will result in millions of “unwanted” children who will grow up in a poor or troublesome home environment, and be subjected to child abuse and other harms. Their mantra is the now common phrase, “Every child a wanted child.”

Think about what this really means. Since when does someone’s inherent right to live depend on whether someone else wants him or her at any given point in time? To use the standard of “being wanted” as a measure of whether a human life is allowed to live is a frightening and deadly concept.

This same misleading rhetoric can be found in the group leading the opposition to HB 1215 called “the South Dakota Campaign for Healthy Families.” In Isaiah 5:20, we read the warning, “Woe to those who call evil good, and good evil.” Never were truer words spoken in regard to groups who equate “family health” with the killing of their youngest members. And in 1995, Pope John Paul II warned: “Given such a grave situation, we need now more than ever to have the courage to look the truth in the eye and to call things by their proper name, without yielding to convenient compromises or to the temptation of self-deception.” (*Evangelium Vitae*, 58.)

Currently, our laws grant one citizen – the mother – the absolute legal authority to kill another citizen – her child – simply because she does not want the child. In South Dakota, we have some of the poorest counties in the entire country. Poverty and troublesome homes are scattered throughout our state. Is the answer to these societal problems to kill the innocent victims? Of course not. We must instead recognize and identify the problems and find solutions that respect the life and dignity of the entire family.

Every child, for the sole fact that he or she is a human being, should be wanted and loved by his or her parent. Unfortunately, we do not live in a perfect world. But if the child in the womb is not wanted, the problem is with the parents or society, not the innocent child. The child cannot be held accountable for, and his or her death justified by, the fear or the unloving motives of others.

That is why we need to make sure that women and families are aware of the many resources available to them that affirm the child’s life and the dignity of the mother and other family members. When a woman is unexpectedly pregnant, she often experiences fear of what this means for her, and pressure from others that having a baby will ruin her life and theirs. This need not be the case. Healthy options for women and families are available in our state.

South Dakotans by nature are generous and caring individuals. There is a vast network of pregnancy centers, churches, and private and public resources available to women who are experiencing an unplanned pregnancy, including many resources throughout the diocese. We need to be ready to provide women with referrals to these resources. Please see the Resources section below for more information.

And for those mothers and fathers who choose life for their child, but find that they cannot parent their child after he or she is born, our state provides that within 60 days of the child’s birth, the parents can deliver their child to any licensed health care facility, law enforcement officer, emergency medical technician, or firefighter, or to a “licensed child placement agency” (including Catholic Family Services) with no questions asked, and no threat of criminal sanctions, as long as the child is delivered unharmed. The provider or agency who takes possession of the child is then required to “perform any act necessary to protect the physical health and safety of the child.” (SDCL §25-5A-27 through 25-5A-36) This law is often referred to as the “Baby Moses Law.”



# VI. RESOURCES

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## A. Church teachings

While not exhaustive, following is a list of key references on the issues surrounding abortion and our responsibilities:

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### SACRED SCRIPTURE

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Exodus 20:13	Proverbs 6:17	Matthew 25:31-46	Romans 13:1-4
Exodus 21:22-25	Job 1:21	Luke 1:15	1 Corinthians 2:14-17
Psalms 51:5	Job 31:13-15	Luke 1:41	Galatians 1:15
Psalms 106:37-38	Isaiah 49:1	Luke 6:46-49	James 2:14-17
Psalms 139:13	Jeremiah 1:5		

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### CATECHISM OF THE CATHOLIC CHURCH

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Respect for Human Life #2258-2269	Abortion #2270-2275	Respect for the Souls of Others #2284-2287
The Natural Moral Law #1954-1974	Moral Conscience #1776-1794	Dignity of the Human Person #1700-1709
The Person and Society #1878-1889	Participation in Social Life #1897-1917	Social Doctrine of the Church #2419-2422
Living in the Truth #2465-2470	To Bear Witness to the Truth #2471-2474	Social Justice #1928-1942
Offenses Against Truth #2475-2487		

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### ENCYCLICALS

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Pope Benedict XVI, Deus Caritas Est  
Pope John Paul II, Evangelium Vitae (The Gospel of Life); Veritatis Splendor (The Splendor of Truth)  
Pope Paul VI, Humanae Vitae (On Human Life)

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### OTHER DOCUMENTS

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“Statement on Responsibilities of Catholics in Public Life”, March 10, 2006  
Catholics in Political Life, U.S. Conference of Catholic Bishops, June 2004  
Faithful Citizenship: A Catholic Call to Political Responsibility, U.S. Conference of Catholic Bishops, 2003  
Doctrinal Note on Some Questions Regarding the Participation of Catholics in Political Life, Congregation for the Doctrine of the Faith, November 24, 2003  
Pastoral Plan for Pro-Life Activities: A Campaign in Support of Life, U.S. Conference of Catholic Bishops, 2001  
Living the Gospel of Life: A Challenge to American Catholics, U.S. Conference of Catholic Bishops, November 1998  
Congregation for the Doctrine of the Faith, Declaration on Procured Abortion (1974), no. 11  
Fact Sheet on Emergency Contraception and Treatment of Victims of Sexual Assault, U.S. Conference of Catholic Bishops Secretariat for Pro-Life Activities.



**B. Contact information for pregnancy centers or post-abortion counseling**

CATHOLIC FAMILY SERVICES  
 – EASTERN SD  
 523 N. Duluth Ave.  
 Sioux Falls, SD 57104  
 Phone: 605-988-3775 or 800-700-7867  
[www.sfcatholic.org/cfs/index.html](http://www.sfcatholic.org/cfs/index.html)

CATHOLIC FAMILY SERVICES  
 310 15th Ave. SE  
 Aberdeen, SD 57401  
 Phone: 605-226-1304 or 888-471-4673

CATHOLIC FAMILY SERVICES  
 1221 East Broadway  
 Pierre, SD 57501  
 Phone: 605-224-6400 or 888-503-8255

CATHOLIC FAMILY SERVICES  
 1115 E 5th Ave  
 Mitchell, SD 57301  
 Phone: 605-996-9033 or 888-496-2273

CATHOLIC FAMILY SERVICES  
 309 2nd Ave. SE  
 Watertown, SD 57201  
 Phone: 605-886-6321 or 866-700-2376

CATHOLIC SOCIAL SERVICES -  
 WESTERN SD  
 918 Fifth Ave.  
 Rapid City, SD 57701  
 Phone: 605-348-6086 or 800-727-2401  
[www.catholic-social-services.net](http://www.catholic-social-services.net)

ALPHA CENTER  
 3500 South Louise Avenue  
 Sioux Falls, SD 57106  
 Phone: 605-361-3500 or 800-992-5742  
[www.alphacenter.org](http://www.alphacenter.org)

PLANNING LIFE  
 6705 West 41st Street  
 Sioux Falls, SD 57106  
 Phone: 605-361-3275  
[www.planninglife.org](http://www.planninglife.org)

NEW HAVEN  
 27213 473rd Ave.  
 Sioux Falls, SD 57108  
 Phone: 605-743-2228 or 888-743-2228  
 After Hours Hot Line: 605-743-5273  
[www.newhavenlighthouse.org](http://www.newhavenlighthouse.org)

BIRTHRIGHT  
 300 N. Main Ave.  
 (Located in the Good Shepherd Center)  
 Sioux Falls, SD 57104  
 Phone: 605-977-4781  
[www.birthright.org](http://www.birthright.org)

BIRTHRIGHT  
 Avera Benedictine Ctr.  
 Yankton, SD 57078  
 Phone: 605-665-5580

BIRTHRIGHT  
 1321 1/2 8th St.  
 Brookings, SD 57006  
 Phone: 605-692-2693 or 800-550-4900

BIRTHRIGHT  
 408 1/2 SO. Coteau St.  
 Pierre, SD 57501  
 Phone: 605-224-6828

BIRTHRIGHT  
 2002 5th St.  
 Rapid City, SD 57701  
 Phone: 605-343-1732 or 800-550-4900

MITCHELL PREGNANCY CENTER  
 Mitchell, SD 57301-0322  
 Phone: 605-996-7139

CARE NET PREGNANCY RESOURCE CENTER  
 1107 Mt. Rushmore Rd Ste 3  
 PO Box 8144  
 Rapid City, SD 57709  
 Phone: 605-341-4477  
 Hotline covered all off hours 800-395-4357

NORTHERN HILLS PREGNANCY CENTER  
 1232 St. Joe St.  
 Spearfish, SD 57783-1734  
 Phone: 605-642-4140 or 800-560-4140

TEDDY BEAR DEN  
 500 S. Main Ave.  
 (13th & Main / Calvary Episcopal Cathedral)  
 Sioux Falls, SD 57104  
 Phone: 605-335-2730

**NATIONAL ORGANIZATIONS**

[www.afterabortion.org](http://www.afterabortion.org)  
[www.hopeafterabortion.com](http://www.hopeafterabortion.com)

[www.care-net.org](http://www.care-net.org)

[www.silentnomoreawareness.org](http://www.silentnomoreawareness.org)  
[www.rachelsvineyard.org](http://www.rachelsvineyard.org)



## C. Adoption information

One of the most important resources for women and men experiencing an unplanned pregnancy is the opportunity to place their child for adoption with a family who is longing to provide a child with the stability and care that the birth parents feel they cannot provide. Within our diocese, since 1961, Catholic Family Services has been assisting and supporting families with the adoption process. Through free pregnancy counseling, birth parents and their families are given the tools to make a decision that is best for their baby and for themselves. Adoption can take several different forms including open, semi-open, and closed or confidential. To learn more about the adoption process, please visit the Catholic Family Services website at [www.sfcatholic.org](http://www.sfcatholic.org), or contact the Catholic Family Services Adoption Supervisor, Mabelle Kocer, at 605-988-3775 or 1-800-700-7867.

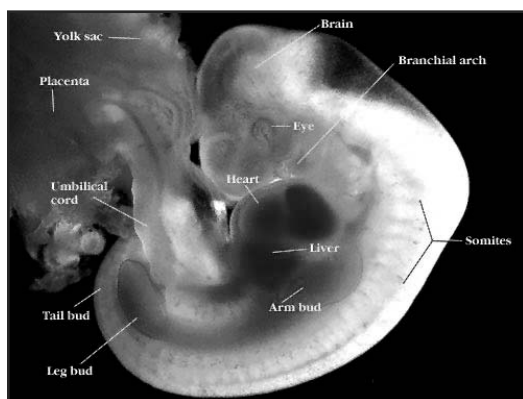
## D. The Mother Teresa Endowment Fund

The Mother Teresa Endowment is a diocesan fund that provides financial assistance to individuals or couples experiencing an unplanned pregnancy who may be considering abortion because of limited financial resources. Applications can be turned into any Catholic Family Services office, and free pregnancy counseling is offered to applicants. In addition, counselors will work with parents to determine the private and public community resources available. The Mother Teresa Endowment Fund then assists with legitimate costs that are not covered by these community resources.

Expenses that the Mother Teresa Endowment fund may help with include, but are not limited to: prenatal clinic costs, hospital and birthing expenses not covered by insurance or Medicaid, temporary rent payments, maternity clothes, utility bills, and other expenses incurred if the birth mother is unable to work. Please contact your local Catholic Family Services office, your parish, or the Respect Life Office for more information and for an application.

## E. Fetal development<sup>10</sup>

Human life begins at the moment of conception and continues to develop throughout the 9 months of pregnancy (approximately 40 weeks) and beyond. Science and technology, including 3-D and 4-D ultrasounds, continue to provide us with a window to life in the womb. Most babies are born around 38 weeks after conception. The following are actual photographs of the developing baby during its first trimester of life (through approximately 13 weeks), when most abortions are performed in South Dakota.



### 3 weeks from conception

The embryo's tiny heart begins to beat by day twenty-one. The brain has developed into 5 areas and some cranial nerves are visible. Arm and leg buds are visible and the formation of the eyes, lips, and nose has begun. The spinal cord grows faster than the rest of the body giving a tail like appearance which disappears as the embryo continues to grow. The placenta begins to provide nourishment for the embryo.

<sup>10</sup> Fetal Development information and photos taken from the following websites: [www.wprc.org/trimester1.phtml](http://www.wprc.org/trimester1.phtml) and [www.lifesite.net](http://www.lifesite.net).



### 5 weeks from conception

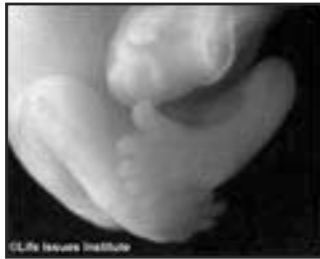
Major organs have all begun to form. The embryo has developed its own blood type, unique from the mother's. Hair follicles and nipples form and knees and elbows are visible. Facial features are also observable. The eyes have a retina and lens. The major muscle system is developed and the embryo is able to move.

### 7-10 weeks from conception

The heart is almost completely developed and the heart rate can be heard on a Doppler machine at the doctor's office. Most major organs and tissues have developed and red blood cells are now produced in the liver. The face is well formed and the eyes are almost fully developed. The eyelids will close and not reopen until the 28<sup>th</sup> week. Arms, hands, fingers, legs, feet, and toes are fully formed. Nails and earlobes start to form and tooth buds develop in the gums. The fetus can make a fist with its finger. Testosterone (male sex hormone) is produced by the testes in a male fetus.



(7 Weeks)



(8 Weeks)



### 11-14 weeks from conception

The brain is fully developed and the fetus can suck, swallow, and make irregular breathing sounds. Fetal skin is almost transparent. Muscle tissue is lengthening and bones are becoming harder. Liver and organs produce appropriate fluids. Eyebrows and eyelashes appear and the fetus makes active movements including kicks and even somersaults.



## F. Websites & organizations

For a comprehensive listing of websites and organizations on abortion and related issues, visit the Respect Life website at [www.sfcatholic.org](http://www.sfcatholic.org). Click on “Other Pro Life Links.” In addition, to keep up to date on the campaign to vote “yes” for life and affirm HB 1215, please visit:

[www.sfcatholic.org/can](http://www.sfcatholic.org/can)  
[www.voteyesforlife.com](http://www.voteyesforlife.com)

## G. Report of the South Dakota Task Force to Study Abortion

A full review of the 2005 Task Force Report is essential for any person who wishes to educate themselves on the many issues of abortion in our State. Please visit [www.sfcatholic.org/can](http://www.sfcatholic.org/can) to read the Report in its entirety.

## H. House Bill 1215 – full text

### AN ACT

ENTITLED, An Act to establish certain legislative findings, to reinstate the prohibition against certain acts causing the termination of an unborn human life, to prescribe a penalty therefor, and to provide for the implementation of such provisions under certain circumstances.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. The Legislature accepts and concurs with the conclusion of the South Dakota Task Force to Study Abortion, based upon written materials, scientific studies, and testimony of witnesses presented to the task force, that life begins at the time of conception, a conclusion confirmed by scientific advances since the 1973 decision of *Roe v. Wade*, including the fact that each human being is totally unique immediately at fertilization. Moreover, the Legislature finds, based upon the conclusions of the South Dakota Task Force to Study Abortion, and in recognition of the technological advances and medical experience and body of knowledge about abortions produced and made available since the 1973 decision of *Roe v. Wade*, that to fully protect the rights, interests, and health of the pregnant mother, the rights, interest, and life of her unborn child, and the mother’s fundamental natural intrinsic right to a relationship with her child, abortions in South Dakota should be prohibited. Moreover, the Legislature finds that the guarantee of due process of law under the Constitution of South Dakota applies equally to born and unborn human beings, and that under the Constitution of South Dakota, a pregnant mother and her unborn child, each possess a natural and inalienable right to life.

Section 2. That chapter 22-17 be amended by adding thereto a NEW SECTION to read as follows:

No person may knowingly administer to, prescribe for, or procure for, or sell to any pregnant woman any medicine, drug, or other substance with the specific intent of causing or abetting the termination of the life of an unborn human being. No person may knowingly use or employ any instrument or procedure upon a pregnant woman with the specific intent of causing or abetting the termination of the life of an unborn human being.

Any violation of this section is a Class 5 felony.

Section 3. That chapter 22-17 be amended by adding thereto a NEW SECTION to read as follows:

Nothing in section 2 of this Act may be construed to prohibit the sale, use, prescription, or administration of a contraceptive measure, drug or chemical, if it is administered prior to the time when a pregnancy could be determined through conventional medical testing and if the contraceptive measure is sold, used, prescribed, or administered in accordance with manufacturer instructions.

Section 4. That chapter 22-17 be amended by adding thereto a NEW SECTION to read as follows:



No licensed physician who performs a medical procedure designed or intended to prevent the death of a pregnant mother is guilty of violating section 2 of this Act. However, the physician shall make reasonable medical efforts under the circumstances to preserve both the life of the mother and the life of her unborn child in a manner consistent with conventional medical practice.

Medical treatment provided to the mother by a licensed physician which results in the accidental or unintentional injury or death to the unborn child is not a violation of this statute.

Nothing in this Act may be construed to subject the pregnant mother upon whom any abortion is performed or attempted to any criminal conviction and penalty.

Section 5. That chapter 22-17 be amended by adding thereto a NEW SECTION to read as follows:

Terms used in this Act mean:

(1) "Pregnant," the human female reproductive condition, of having a living unborn human being within her body throughout the entire embryonic and fetal ages of the unborn child from fertilization to full gestation and child birth;

(2) "Unborn human being," an individual living member of the species, homo sapiens, throughout the entire embryonic and fetal ages of the unborn child from fertilization to full gestation and childbirth;

(3) "Fertilization," that point in time when a male human sperm penetrates the zona pellucida of a female human ovum.

Section 6. That § 34-23A-2 be repealed.

Section 7. That § 34-23A-3 be repealed.

Section 8. That § 34-23A-4 be repealed.

Section 9. That § 34-23A-5 be repealed.

Section 10. If any court of law enjoins, suspends, or delays the implementation of a provision of this Act, the provisions of sections 6 to 9, inclusive, of this Act are similarly enjoined, suspended, or delayed during such injunction, suspension, or delayed implementation.

Section 11. If any court of law finds any provision of this Act to be unconstitutional, the other provisions of this Act are severable. If any court of law finds the provisions of this Act to be entirely or substantially unconstitutional, the provisions of § § 34-23A-2, 34-23A-3, 34-23A-4, and 34-23A-5, as of June 30, 2006, are immediately reeffective.

Section 12. This Act shall be known, and may be cited, as the Women's Health and Human Life Protection Act.





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