

Committee Written Testimony – Jared Harpt

My name is Jared Harpt. I am a pre-law student at the University of Kansas and a life-long Kansas resident. I am writing to ask the members of this committee to promote and vote for SCR 1613 and HCR 5019, which would create a ballot measure by which Kansas voters will decide whether the legislature can regulate the abortion industry in the state of Kansas. In support of these resolutions, I offer three arguments.

First, the resolutions respect the fundamental value of democratic government that is foundational to American politics. In *Hodes & Nauser v. Schmidt (2019)*, the Kansas Supreme Court decided that the Kansas constitution contains the fundamental right to abortion. This decision has stripped all power away from the people of Kansas to decide for themselves how to restrict and regulate the highly controversial procedure of abortion. The court's decision effectively nullified decades of debate, advocacy, and legislation by both sides, rejecting flexible democratic processes in favor of a one-time decision by seven judges.

Second, the resolutions respect the power of the Kansas legislature to restrict abortion in legitimate ways. Since *Roe v. Wade (1973)*, pro-life voters and legislators (both in Kansas and in other states) have developed several types of legislation to promote safety and morality in abortion procedures. For example, such legislation may prohibit abortions after the fetus reaches a certain age, require minors to get parental or judicial permission before having an abortion, restrict Medicaid payments for abortion-related services, or require a waiting period between the first appointment and the abortion procedure. Because *Hodes & Nauser v. Schmidt* mandates a strict scrutiny standard for all legislation restricting abortion, the Kansas legislature will be severely restricted in its ability to pass such laws.

Third, the resolutions allow Kansans the chance to continue fighting for innocent human life at all stages of development. A very simple argument convinces me that abortion is morally wrong except in extreme cases: Human life has inherent value, embryos/fetuses are human beings, and therefore embryos/fetuses have inherent value. Many Kansans agree with me on this matter. A 2014 study found that nearly half of Kansas citizens believe that abortion should be illegal in all or most cases.¹ Unfortunately, *Hodes & Nauser v. Schmidt* cuts off all hope of significantly altering Kansas abortion law in the future, even if the majority of Kansans desire to do so. SCR 1613 and HCR 5019 will allow millions of pro-life Kansans like me to follow our moral convictions by advocating for meaningful change in state abortion law.

In summary, I request this committee to support SCR 1613 and HCR 5019, which will preserve the democratic values of our political system, respect the power of Kansas legislature to restrict abortion, and allow pro-life Kansans to meaningfully promote their moral convictions by seeking to limit abortion in our state. Thank you for your time and consideration.

¹ "Views about abortion by state," Pew Research Center, 2014, <https://www.pewforum.org/religious-landscape-study/compare/views-about-abortion/by/state/>