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(self representing)

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Subcommittee on the Constitution

Committee on the Judiciary

Hearing on HR 3803

“District of Columbia Pain-Capable Unborn Child Protection Act”

Good afternoon. Mr. Chairman, Representative Nadler, and other members of the committee. My name is Christy Zink. I, like many women in the Washington, DC area, am a mother. Almost every day, I rush around to get two kids woken up, dressed, and out the door. Between my five-year-old daughter and eleven-month-old son there are backpacks, diaper bags, milk bottles, juice boxes, lunch boxes, permission slips, and stuffed bunnies. There are also the mysterious hunt for two matching shoes and the eternal battle to actually get those shoes on two matching feet.

I, like so many women, work diligently to balance family and work and I feel lucky to have this challenge.

In addition to my two children, I was also pregnant in 2009. I would often wonder about whose eyes the baby might have and who my child might grow up to be. I was looking forward to the ultrasound when we would get a chance to have a look at the baby in utero. I certainly hadn't anticipated that my husband and I would have to make the most difficult decision of our lives.

I took extra special care of myself during this pregnancy. I received excellent prenatal attention. Previous testing had shown a baby growing on target, with the limbs and organs all in working order. However, when I was 21 weeks pregnant, an MRI revealed that our baby was missing the central connecting structure of the two parts of his brain. A specialist diagnosed the baby with agenesis of the corpus callosum. What allows the brain to function as a whole was simply absent. But that wasn't all. Part of the baby's brain had failed to develop. Where the typical human brain presents a lovely, rounded symmetry, our baby had small, globular splotches. In effect, our baby was also missing one side of his brain.

We are fortunate to live in Washington, DC, because we were able to consult some of the best radiologists, neurologists, and geneticists not just in our city or in the country, but in the world. We asked every question we could. The answers were far from easy to hear, but they were clear. There would be no miracle cure. His body had no capacity to repair this anomaly, and medical science could not solve this tragedy.

Our baby's condition could not have been detected earlier in my pregnancy. Only the brain scan could have found it. The prognosis was unbearable. No one could look at those MRI images and not know, instantly, that something was terribly wrong. If the baby survived the pregnancy, which was not certain, his condition would require surgeries to remove more of what little brain matter he had in order to diminish what would otherwise be a state of near-constant seizures.

I am here today to speak out against the so-called Pain-Capable Unborn Child Protection Act. It's very premise—that it prevents pain—is a lie. If this bill had been passed before my pregnancy, I would have had to carry to term and give

birth to a baby whom the doctors concurred had no chance of a life and would have experienced near-constant pain. If he had survived the pregnancy—which was not certain—he might have never left the hospital. My daughter’s life, too, would have been irrevocably hurt by an almost always-absent parent.

The decision I made to have an abortion at almost 22 weeks was made out of love and to *spare* my son’s pain and suffering.

I am horrified to think that the doctors who compassionately but objectively explained to us the prognosis and our options for medical treatment, and the doctor who helped us terminate the pregnancy, would be prosecuted as criminals under this law for providing basic medical care and expertise.

I live and work in Washington, DC. My husband and I own a house here, we vote, and we believe in the democracy at the heart of this country. It is unconscionable that someone would come into my city from the outside and try to impose a law that doesn’t represent the best interests of anyone, especially families like mine. This proposed law is downright cruel, as it would inflict pain on the families, the women, and the babies it purports to protect.

It’s in honor of my son that I’m here today, speaking on his behalf. I am also fighting for women like me, to have the right to access abortion care when we need to beyond 20 weeks—especially for those women who could never imagine they’d have to make this choice. I urge you not to pass this harmful legislation.