



IDAHO COUNCIL ON  
DEVELOPMENTAL  
DISABILITIES

Brad Little, Governor  
Emily Petersen, Chair  
Christine Pisani, Executive Director

April 7, 2021

Madam Chair Patti Anne Lodge  
House State Affairs Committee  
Statehouse, Boise, ID 83720

Dear Chair Lodge and Members of the Committee:

The Council on Developmental Disabilities is authorized by federal and state law to monitor service systems and policies and to advocate for improved services that enable Idahoans with developmental disabilities to live meaningful lives, included in their home communities. The Council is comprised of 23 volunteers appointed by the Governor, the majority of whom are adults with intellectual and developmental disabilities and family members.

The Council opposes House Bill 302.

Our concerns include that neither the DD Council, The State Independent Living Council, Disability Rights Idaho or Idaho Parents Unlimited were consulted about this bill. The Council was informed that the three Down's Syndrome Support groups in Idaho were presented this legislation, but do not support it. The lack of inclusion of the disability advocacy community in proposing this legislation should speak volumes.

On page 5, lines 1-12, the Council has concerns about who controls the messaging in promoting information about children and adults with Down's Syndrome. If proponents of this bill are serious about limiting the number of abortions that happen as result of learning that your baby may have Down's Syndrome, they would work much harder at promoting a much more positive image of the lives of children and adults with Down's Syndrome. Messaging would avoid promoting images that stereotype people born with this diagnosis as a burden on society and a miserable parenting experience. There would also be significant effort made to secure adequate Medicaid funding to ensure

that children born with Down's Syndrome have the access they need to early intervention and supports from birth to death, that private insurance coverage simply does not provide.

The Council recognizes there is work to be done with Idaho physicians so they are able to provide accurate and best practice information to assist families to be fully informed. However, the Council views this legislation as an interference between the family and their physician with regard to the pregnancy. If a physician is doing their job they will have already provided the necessary information to their patient and the family.

The bill also mandates a Spanish language version of materials be made available. As an organization who spends significant resources to assist the Spanish speaking community to understand and access needed services, there is a complete lack of information available in Spanish to help provide needed details about the developmental disability service system. Currently, Spanish speaking families do not have equitable access to services after the birth of their child, as well access to culturally and linguistically competent service providers.

The Disability community was not included in the drafting of this legislation.

The Council opposes House Bill 302.

Sincerely,

A handwritten signature in cursive script, appearing to read "C. Swani".

Executive Director  
Idaho Council on Developmental Disabilities

April 5, 2021

Good morning madame chair and Committee

My name is Chelsea Gaona-Lincoln, I reside in district 10 and have lived in Canyon County my entire life. I offer my testimony on behalf of Legal Voice, a regional non-profit whose mission pursues justice for all women and LGBTQ people across the Northwest. We are adamantly opposed to HB302.

This information sharing and belongs in conversation with the parents, **at the time of receiving a diagnosis**; and is being inappropriately interjected at the time of someone seeking safe and legal abortion care. The goal is to shame and stigmatize people seeking medical care.

The proponents of this bill emphasized and stated they do not work in the vein of disability rights and did not consult with the disability rights organizations. Based on conversations I've had is true, those that work directly with those impacted by this bill, were not among those invited to the table for discussion.

If this body seeks to support those with Down syndrome, do so by increasing the reimbursement rate for disability programs for adults. The exchange rate is abysmal. Many adult programs have shut down or cannot provide consistent and quality staff to work with adults. Those are the kinds of supports and quality of life improvements needed and deserved. Not this.

You cannot force people to have birth, pregnant people have constitutional rights to their bodily autonomy and rights to their medical privacy.

On a personal note my spouse and I navigated fertility challenges, we were very intentional when we started our family. At ten weeks we were given informed consent on **optional genetic testing** by our midwives. This optional testing came at additional costs that ranged from a few hundred dollars to several thousand depending on the level of testing selected. **This additional cost was not covered by insurance.** The fiscal note does not reflect the costs of who will cover that testing and how it will be uniformly offered across a state of providers, especially for families unable to access prenatal care.

This legislation does not improve the quality of life for people with Down syndrome or any disability for that matter. This bill does not improve any aspects for care providers, service providers or educators to deliver more integrity and data driven services. This legislation uses and tokenizes people with disabilities as a wedge issue in relentless attempts to ban abortion all together.

As a reminded, you can not ban abortion; you can merely restrict access to safe abortion care.

With that, I urge you to hold this bill in committee and I will yield for any questions.

Chelsea Gaona Lincoln  
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## Twyla Melton

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**From:** Scott Herndon Homes <Scott67@ScottHerndonHomes.com>  
**Sent:** Tuesday, April 6, 2021 10:58 PM  
**To:** Twyla Melton  
**Subject:** Written testimony against H302

Twyla, the following is my written testimony against H302 being heard in Senate State Affairs 4/7/21 at 8 AM.

H302 helps us understand that murder by abortion is completely LEGAL in Idaho NOT because of the US Supreme Court but because the Idaho legislature has codified chapters that state when, how, why and where children may be murdered by their mothers.

302 amends section 18-609, in which a woman may kill her child when she gives an informed consent to the murder. To better inform her, the Health and Welfare director will provide, not to her, but to the child sacrifice centers, a new publication about trisomy 21. It seems an oxymoron that a health and welfare department will provide information to child sacrifice centers, where the health and welfare of children is destroyed.

I urge you to consider that what we are doing legislatively in response to unlawful federal court opinions regarding murder by abortion is simply regulating how that type of murder will be accommodated in Idaho Code.

Many have a starting point with these murder regulations that we are where we are and 302 will put us in a slightly better place. I urge you to start with an entirely new premise: The Supreme Court has played the tyrant in its opinions that child sacrifice is a lawful enterprise. Abortion is actually the unlawful killing of our preborn neighbors, all of whom have been made, like us, in the Image of God.

We have a responsibility to resist and oppose the judicial tyrant that would authorize their deaths, and as a legislature you should not be guilty with your yes vote for bills like 302 of authorizing, albeit with conditions, the killing of children in Idaho statute.

On the whole, the sections amended in 302 are both immoral and unconstitutional. The Supreme Court is not the final arbiter of all constitutional questions. You have that authority as well as they. You should repeal the sections in 302 and outlaw abortion as murder.

Scott Herndon

Representing Abolish Abortion Idaho

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