Text of Roemer's message after veto

Here is the text of the message delivered by Gov. Buddy Roemer after he vetoed HB112 by Rep. Sam Theriot, D-Abbeville, which would have banned abortions except in cases of rape, incest and to save the life of the mother:

"House Bill 112 criminalizes abortions, imposes a minimum mandatory penalty of one year at hard labor and imposes a minimum mandatory fine of $10,000 on any person convicted of performing an abortion. The maximum penalty is 10 years at hard labor and a $100,000 fine. Self-abortion is allowed, but professional, medical abortions are not. The bill purports to grant exceptions for the life of the mother, for rape and for incest.

"First, I applaud the Legislature in its efforts to restrict abortions. The open window for abortions must be closed in order to protect the life of the unborn, but meaningful exceptions must be drawn in order to protect the life and rights of the woman involved.

"As House Bill 112 was going through the legislative process, I attempted to offer amendments which would provide meaningful exceptions to the general restrictions on abortion. In the House chamber, my amendments were not offered because the House voted to close off debate peremptorily. I attempted then to have my amendments introduced into the Senate. I met with the author of the bill, Rep. (Sam) Theriot, and the Senate sponsor, Sen. (Allen) Bares, and asked if they would accept my amendments to the bill. They declined. I then asked that amendments be offered on the Senate floor, but they were not accepted by the Senate. Without these amendments the bill is too harsh and restrictive.

"Just as I said a year ago, the bill fails to provide for adequate protection for rape victims. The five day requirement for a medical examination and the seven day requirement for reporting to law enforcement are unworkable and unrealistic in many cases. The lives and rights of women in Louisiana demand balanced and thoughtful consideration. Forcing a rape victim to report to law enforcement officials and seek medical treatment, all within a week of the crime, is an onerous burden. Under this bill, ignorance of the law would force a woman to bear and give birth to a child conceived in brutality if she is unable to meet this artificial and narrow seven-day test. Is this a meaningful exception? I think not.

"While prompt reporting may be ideal, it ignores reality: rape is the most under-reported violent crime in our nation, with less than 20 percent of all rapes ever being reported to law enforcement. Much of this refusal to report stems from fear, from humiliation and from a reluctance to go through a public trial. The requirement that a woman have only 7 days to decide about reporting to law enforcement is a harsh burden.

"While a woman, ideally, should go to her doctor as quickly as possible after a rape, many do not. The reporting periods I have requested (30 days for the medical examination and 45 days for law enforcement) are not arbitrary, but rather are based on simple human biology – within 30 days of intercourse a woman’s body begins to change if she is pregnant. At that point a woman is likely to seek medical help on her own.

"The proponents of this bill also maintain that any expansion of the reporting period will ‘open the door’ for women to lie and doctors to conspire with women to obtain abortions. They ignore the fact that rape is a terrible, pervasive reality in this country with the Los Angeles Commission on Assaults Against Women reporting that approximately one in three in America will be raped. More importantly, they ignore the basic dignity and trustworthiness of women as well as the honor and professional ethics of the doctors with whom these women consult. Women need more time to make a real, meaningful choice in a traumatic atmosphere.

"The second amendment which I submitted would have clearly defined pregnancy and clearly allowed such accepted medical procedures as termination of a tubal pregnancy and insertion of an intrauterine device. I offered this amendment at the request of many obstetricians and gynecologists in this state. As the bill stands now, its definitions and terminology are so vague that doctors will be unwilling to risk their liberty and their professional careers by terminating any form of pregnancy at all. That's the words of the doctors, not me.

"Finally, I offered a carefully drawn amendment which would permit abortions in cases where the fetus is profoundly deformed, and the deformity is incompatible with life itself. The practice of medicine has advanced to such a degree that such deformities can (be), and generally are, detected early in the pregnancy. The decision on whether to carry such a fetus to full term should be up to the woman and her family – not the Legislature.

"House Bill 112 dishonors women, shows great mistrust of doctors and their professional judgment, and unduly burdens the traumatized victims of rape.

"For these reasons, I have vetoed House Bill 112."