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Representative Lawrence Denney
Speaker of the House
IDAHO HOUSE OF REPRESENTATIVES
Statehouse
Boise, Idaho

Subject: Senate Bill 1387

Dear Mr. Speaker:

Until the legislature adjourns, I have concern over the advancement of SB 1387 this session.

If enacted into law, I believe the medical procedure mandated violates Article 1 of the Idaho Constitution and, thus, the rights of women of Boise County. Article 1 provides in pertinent part, the following:

ARTICLE I DECLARATION OF RIGHTS

“SECTION 17. UNREASONABLE SEARCHES AND SEIZURES PROHIBITED. The right of the people to be secure in their *persons*, houses, papers and effects against *unreasonable searches* and seizures shall not be violated...”
emphasis supplied

Under certain circumstances, SB 1387 could mandate a patient agree to “forced consent” to invasion of a body with a medical procedure not recommended by her physician, but rather a medical procedure *compelled* by the *Government*.

In addition, SB 1387 violates the rights of rape victims, rights protected under Article 1, Section 22 of the Idaho Constitution which provides as follows:

ARTICLE I DECLARATION OF RIGHTS

SECTION 22. RIGHTS OF CRIME VICTIMS. A crime victim, as defined by statute, has the following rights:

(1) To be treated with *fairness, respect, dignity and privacy* throughout the criminal justice process.

But there is more. If a female seeking an abortion is a minor, SB 1387 runs counter to previous legislative findings, such as those expressed in Idaho Code Section 18-602 which provides the following:

18-602 Legislative findings and intent.

(1) The legislature finds:

(c) That the medical, *emotional and psychological* consequences of abortion and childbirth are serious and can be lasting, particularly when the patient is immature;

Before you enact SB 1387, or similar legislation, please consider the situation below:

A female, a minor, a victim of rape, has been subjected to a nonconsensual invasion of her body by a sexual perpetrator only to be followed by a “forced consent” invasion of her body by the *government*.

In addition to an unreasonable search of a person, SB 1387 does not treat women with”... *fairness, respect, dignity and privacy...*” Further, SB 1387 is insensitive to the”... *emotional and psychological consequences of abortion...*” to minors by requiring an additional invasive nonconsensual medical procedure.

If SB 1387 becomes law with the mandatory provisions mentioned above, I intend to file a civil action *to enjoin* any physician from implementing the provisions of SB 1387 in Boise County as a violation of the constitutional and statutory rights of women in my jurisdiction.

Best Regards

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