RE: Raised Bill No. 5926, LCO No. 3333
AN ACT CONCERNING FAMILIES WITH SERVICE NEEDS, CERTIFICATES FO BIRTH RESULTING IN STILLBIRTH, REENTRY AND DIVERSIONARY SERVICES FOR YOUTH, AND DRUG COURTS FOR YOUTH.

Referred to Committee on Judiciary
Public Hearing Monday, March 17, 2008

Testimony of Dr. Kelly T. Weber

"You yourself are the embodied continuance of those who did not live into your time and others will be (and are) your immortality on earth..."
-Jorge Luis Borges

I have two daughters – one a vibrant, inquisitive, and fun four year old named Lauren who I have the enormous pleasure of spending time with and Morgan, Lauren's younger sister, who was born still on May 19, 2006. Time spent with her was brief, seven months in my womb. The death of my daughter Morgan has personally been the most difficult loss of my life, a significant loss which is forever part of my family's legacy and history. History, I believe, is important to document.

Through the passage of this Bill I am asking the State of Connecticut to acknowledge and document the birth of my youngest daughter, Morgan, and to correct an injustice that exists in its law. That Connecticut law requires her death to be documented via a death certificate and requires her cremation or burial, but her birth is not recognized in official documentation was shocking to me.

Morgan's life, albeit brief, was significant. Her life was documented for me in detailed Level II Ultrasound pictures, the glorious sound of her strong heartbeat at my frequent prenatal doctor's appointments, and her regular movements in-utero that are thrilling signs of life and part of the remarkable process of bonding with one's child. Because of my history of recurrent pregnancy loss, that included four early term miscarriages before my pregnancy with Morgan, these signs of life were monitored more carefully for me and were all the more glorious because it represented another success in my six year battle with my fertility.

On May 16, 2006 hope for success faded. I waited for familiar movements that were once comforting confirmations of Morgan's presence and healthy development. I waited for movement that no longer came. I called my OB-GYN who advised me to go to the Emergency Room at Hartford Hospital. The ultrasound there confirmed my worst fears: a silent heartbeat and no movement. I endured three days of an emotionally and physically painful induced labor and delivery that resulted in the final confirmation of her death, holding her still and silent, beautiful and fully developed in form. An autopsy and countless medical tests provided no answers about the cause of her death.

Stillbirths are often hidden losses that represent the loss of one's dreams for the future. Disappointment and sorrow may include the loss of future children and fears of future pregnancy complications. (McGoldrick & Walsh, 1991) These losses are often unknown to others or are unacknowledged as nonevents, making the loss more painful (Lewis, 1976). Family and friends who are aware of the event can also become silent – not knowing how or when to discuss the loss when they are grieving too.

As a Psychologist I have had the privilege of helping others through their own difficult journeys in matters of grief and loss. In doing so I recognize that acknowledging the significance of the loss for the individual is often the primary source of comfort along with providing opportunities for families to appropriately mourn and accept their loss. Facilitating communication about a death, sharing memories of the individual, and participating together in meaningful rituals aids in the process of mourning.

I will have few tangible memories of my daughter Morgan, no videos of her first steps, no lock of hair from her first hair cut, special drawings from her hands, report cards or pictures of her graduations or wedding. I do have a box that contains pictures of her at her birth, the clothing she wore the day of her birth and her footprints that are comforting objects from this day. I hope to someday add her Certificate of Birth Resulting in Stillbirth to this collection. Before voting on this bill I would encourage you to take a fresh look at the birth certificates of your living children. What is the significance of this document to you; the meaning you attach to it and the memories it inspires? If one of your children died before birth would you choose to honor them in this manner?

Our desire for the Certificate of Birth Resulting in Stillbirth has unfortunately become snared in the abortion debate because of concerns about establishing fetal personhood. Careful wording of the statute has calmed these concerns in other states that have passed similar legislation. "Representatives of national abortion-rights organizations, including the Guttmacher Institute, the Center for Reproductive Rights, Planned Parenthood Federation of America, the ACLU Reproductive Freedom Project and NARAL, Pro-Choice America told Stateline.org they take a neutral position on the stillborn birth-certificate issue" (Vestal, 2007). I am a woman who fully appreciates these rights. This is not about abortion, for me it is about the loss of a wanted pregnancy and the birth of my daughter.

Passing this bill that creates and issues a Certificate of Birth Resulting in Stillbirth will, I believe, aid in healing a family's grief. For those who elect to document their child's birth in this manner it will help diminish the shock, anger and frustration that comes from the laws inadvertent denial of the significance of a child's birth. Please help families, who choose this form of comfort, to acknowledge the births of their children, in addition to documenting a most tragic and painful death.

I sincerely thank you for the opportunity to speak to you today.

Lewis, E. (1976). The management of stillbirth: Coping with an unreality. *Lancet, 2,* 619-620. In Walsh, F & McGoldrick, M. (Eds.) (1991). *Living Beyond Loss: Death in the Family.* New York: W. W. Norton & Company, Inc.

Vestal, C. (2007, May 17). Stillborn laws entangled in abortion debate. Retrieved May 17, 2007, from http://www.stateline.org/live/details/story?contentId=208701

Walsh, F. & McGoldrick, M. (Eds.) (1991). *Living Beyond Loss: Death in the Family.* New York: W. W. Norton & Company, Inc.