

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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DONNA SANTA MARIE, et al.Plaintiffs

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LOCAL COUNSEL

vs.

Civil Action No. 99-2692 (GEB)

CHRISTINE TODD WHITMAN, et
alDefendants.

AFFIDAVIT OF SANDRA CANO

AFFIDAVIT OF SANDRA CANO

Before me, the undersigned notary, on this day, personally appeared Sandra Cano, a person whose identity is known to me. After I administered an oath to her, upon her oath, she said:

I. "My name is Sandra Cano, and I am over eighteen years of age and capable of making this affidavit. I am also known as Mary Doe, the plaintiff of Doe v. Bolton, the United States Supreme Court companion case to Roe v. Wade. At the time of that decision, my name was Sandra Race Bensing. As the plaintiff in Doe v. Bolton, I seek to provide this Court with crucial information regarding abortion that would otherwise be unavailable.

2. Doe v. Bolton was a lie. In 1970, I was a young woman in a very difficult situation. As a homeless mother, married with three children, I was wrongfully placed in a mental institution by my mother. As a result, my children were taken from me, and I was desperate to get them back. I approached the local legal aid office seeking custody of my children and a divorce from my husband. What I received was something I never requested - the legal right to abort my child.

3. Young, uneducated, and naive, I was taken advantage of by an aggressive self-serving attorney, Margie Pitts Hames, the legal-aid attorney. I never wanted an abortion, I just wanted my children back. Although there is an affidavit in Doe v. Bolton that says that it would devastate me to have another baby, that I did not want another baby, that I could not care for another baby, and mentions suicide, I am ninety-nine percent certain that I did not sign this affidavit. I do not believe it is my signature on the affidavit, and Margie either forged my signature or slipped this document in with other papers while I was signing divorce papers. I never told Margie that I wanted an abortion. The facts stated in the affidavit in Doe v. Bolton are not true.

4. In fact, Margie and my mother tried to force me to have an abortion at Georgia Baptist Hospital. One afternoon, this lawyer and my mother told me that my suitcase was packed to go to the hospital, and

they said that my abortion was going to be done the next morning. Dr. Donald Block, my doctor, was going to perform the abortion. I told them, "I am not having an abortion." No one listened, and so I fled to Oklahoma and I stayed there with my ex-husband's grandmother. I remained there until they agreed that I wouldn't be forced to have an abortion. Grateful that they weren't going to force the abortion on me, I agreed to come back and sit in the court room. They promised me that if I went back to Georgia that I would not have to have the abortion, and so I went back.

5. Margie sent a plane ticket for me to come home because she needed me to be in the courtroom with some other pregnant ladies. The night before I went to court, they were afraid I was going to leave and had me stay at the apartment of a legal-aid lawyer. Before court, I was instructed not to say anything and just be there. This is the only time I ever made an appearance in court before the Doe decision -- and I never spoke a word.

6. There was a reason Margie didn't want me speaking in court. Once a television man had come to her office and they were asking me what I thought about abortion. I said, "Well, I don't believe in abortion and I don't want an abortion. I don't care if anyone else has one. That's not my business." All I cared about was that they didn't do it to me. I would not have an abortion. I did not realize the extent I was involved in abortion. They set up the cameras facing my back and then Margie did all the talking like she was me. It wasn't even my voice. Margie got real upset with me because I would never go and say that I wanted to have an abortion. The way she phrased it to me, it was a woman's liberation right. She said, "If you're working a job, and you're doing the same job as a man, don't you want to make the same salary?" I said, "Well, of course." So that's what I thought the issue was about and everything. It's really hard for people to believe something like that. God knows my heart. He knows the truth. I really was that naive and that stupid.

7. The day that Doe v. Bolton was decided, my mother and my stepfather were in the bedroom watching television. They called me into the bedroom and said, "Look! You won! You won! It passed!" There was Margie on television, and they were saying that abortion was legal. Well, instead of being happy, it was like a whole bunch of bricks were put on my shoulders, and it has been that way ever since. I never wanted an abortion. I never went for an abortion or even ever considered it. Regardless of the worst state of misery or depression, it would never cross my mind to take the life of a child.

8. In the beginning, I thought I was the one solely guilty for legalizing abortion. To be identified in the Supreme Court as Mary Doe is like my constitution was taken away, that I'm not a human, and it doesn't matter what I feel or what I think. As time passed, I became more and more aware of how I had been used in Doe v. Bolton and decided that I needed to do something about what had happened. Although I didn't have any knowledge of the courts or any money to hire an attorney, I eventually went to court to have my sealed records opened. An attorney, Wendell Bird, agreed to represent me and asked that the records in my case be unsealed. I showed my license, my birth certificate, and the marriage certificate and the records were unsealed. The records showed who I was - Mary Doe. The whole world now knew that I was that person that I claimed to be.

9. Margie was fighting my opening the records, and I couldn't understand why - she knew it was me. But, now I understand. The records stated that I applied for an abortion, was turned down, and, as a result, sued the state of Georgia. According to the records, I had applied for an abortion through a panel of nine doctors and nurses at Grady Memorial Hospital, a state-funded hospital. This is a lie. I contacted the hospital and tried to get my records. At first, they said they were there, but when my new attorney sent his legal assistant, the records disappeared, if they ever really existed. The hospital said they didn't

have any records. There are no records whatsoever of me applying or planning an abortion at Georgia Baptist Hospital.

10. Getting the court records unsealed and attempting to find my medical records were just the beginning. Ever since I decided to do something about my role in Doe v. Bolton, I have had numerous hardships to conquer. Since I started speaking out against my role in Doe v. Bolton, my home has been targeted in drive by shootings. But, this is not my only fear, the way history will be told is very embarrassing to me. I feel guilty because I turned my back out of embarrassment and shame. People know me, who I was, and that I was involved, in some way, as a part of this tragedy of abortion. I kept quiet about it until I finally couldn't be quiet anymore. People judged me and they judged me wrong, and I just can't care what people think because sometimes we have to take a stand in our loss.

11. I am here before this court to say - Hey! Doe v. Bolton was fraud. It's based on fraud, and I'm a victim. I did not want abortion. I do not believe in it. Here in Atlanta, if you get a speeding ticket, you have to go through traffic court, and you have to appear. In every court - you have to appear or you're in contempt of court. Yet, my case was filed in Federal District Court, Northern District of Georgia, a case that eventually went to the United States Supreme Court and yet, I never had to appear. I wonder what's wrong with our system.

12. In the Supreme Court documents there is no evidence, and yet I am a party to something I was never really a party to. I am still very hurt and angry by the system because I never testified before a judge. No one ever asked me, "Is this your position? Is this what you want?" I am really disgusted with the system, a system where we put our justice in their hands and yet they don't care if we're alive or a human or not human. The basic thing, is that Doe v. Bolton was fraud. None of this was my decision. None of this was me. I don't understand why no one took it upon themselves in such an important case, a case that allowed a law to be passed to take innocent human lives, to speak to the plaintiff in the case. Why they didn't speak to me? The attorney for the State of Georgia stated that no one knew if I was real or not real. That it was only an affidavit that was presented to the Court, and they didn't know if I was real or not because the records were sealed. One of the Supreme Court Justices said that it was irrelevant if I was real or not real -- it did not matter. I want the Justices, and all the people to know that it does matter. It matters very much so if I am real or not real. They've used my name, my person, to say that its alright to take a baby's life -- and to take a child's life up to nine months. If a woman is pregnant and has a headache, a toenail ache or anything, the doctor can say this is related to her "health" and take the baby's life -- that's wrong. That is Doe v. Bolton.

13. A woman's health both mental and physical is not helped by an abortion. I've met lots of women who tearfully tell me about how they've been hurt by abortion. Some of them suffer from physical injuries, but they all suffer mentally with the guilt of killing their child. These women have told me how they were lied to about abortion and how they were told by the abortionist that it wasn't really a baby. Many suffer because they now want children but the abortion left them unable to have any more babies. Their hearts are breaking, longing for the child they aborted.

14. My children were taken from me, and I know the pain of a mother being denied a relationship with her child. This relationship is precious and irreplaceable. In my situation, I was given a second chance to be with my children and enjoy them, but with abortion this is impossible. My children and grandchildren continue to be my source of happiness.

15. While back then I didn't care if other women had abortions, today, I do care. Back then it was

survival. I am ashamed that I even said back then that I didn't care, but at that time, I didn't feel like I had the right to tell somebody else what to do. At that time, I wasn't crazy or anything, but I was very unstable emotionally and my life was not the very best. I had no support of any kind, and I was with one of the worst husbands in the world.

16. But, no matter how hard your life is, it is never okay to kill a baby. I have been as far down, as I call it in the gutter, as somebody can go. I have been in all types of situations, homeless, and homeless with my children. There are days where we have known hunger, days in my marriages when I've been abused, but never once did it cross, my mind to take a baby's life."

Sandra Cano A.k.a. Mary Doe of Doe v. Bolton Sworn to and subscribed before me this the 15th day of March, 2000.