



FAMILY
COUNCIL

INSIDE:

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in Arkansas

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JUNE/JULY 2018
UPDATE LETTER

DEAR FRIENDS,

“Planned Parenthood Has Stopped Performing Abortions in Arkansas.”

That’s a headline I wasn’t sure I would ever write.

Planned Parenthood is the nation’s largest abortion provider. One in four abortions in Arkansas took place at a Planned Parenthood clinic last year. Nationwide, Planned Parenthood has killed more than a million unborn babies since 2014. And for three weeks in June, Planned Parenthood did not do any abortions in Arkansas.

What caused Planned Parenthood to stop doing abortions in Arkansas—at least temporarily? Was it a congressional investigation into Planned Parenthood’s habit of selling organs and tissue harvested from aborted babies? Was it a U.S. Supreme Court decision overturning *Roe v. Wade*? Was it an executive order from the White House saying abortionists could not receive public funds? No.

It was a law passed in 2015 requiring clinics that offer drug-induced abortions to contract with a doctor who has hospital admitting privileges to handle any complications from the abortion.

The whole thing reminds me of the British Royal Navy’s effort to sink the German battleship *Bismarck* during World War II. Six and a half months before the Japanese bombed Pearl Harbor, England was locked in a deadly struggle with the German Navy on the high seas. In one battle that lasted all of eight minutes, the *Bismarck* sank the *HMS Hood*, killing all but three of its 1,419 crew members. The Royal Navy, which had dominated the Atlantic Ocean for nearly four centuries, ordered its warships after the *Bismarck*.

Out of all the British ships searching for the *Bismarck*, the one that found it was the *HMS Victorious*—a small aircraft carrier loaded with slow-moving biplanes, each of which was equipped with a single torpedo. The *Victorious* had been commissioned only a week before, and its biplanes were not considered a match for the *Bismarck*’s anti-aircraft cannons, but the *Victorious* engaged the *Bismarck* anyway.

One of the biplanes scored a hit, causing the *Bismarck* to leak fuel, leaving an oil slick that the British could track through the ocean as the enemy ship tried to escape. Another small aircraft carrier loaded with biplanes—the *HMS Ark Royal*—later found the *Bismarck*. One of the biplanes torpedoed the enemy ship, inflicting enough damage that the *Bismarck* became easy prey for the larger British battlecruisers.

German engineers who designed the *Bismarck* did not consider slow-moving biplanes a serious threat. In fact, very few people did, but who knows if the British would have been able to sink the *Bismarck* without them?

Our pro-life law from 2015 is a lot like those British biplanes: Not many people considered it a serious pro-life bill at the time. Plenty of people thought it was a good law, but nobody thought it would shut down Planned Parenthood. At best it would prevent a few abortions, protect women’s health, and make work a little more difficult for the abortion facilities. However, three years later that one simple law ground Planned Parenthood’s entire abortion machine to a screeching halt in Arkansas. That’s simply incredible news!

Since then, a liberal judge in Little Rock has blocked this good law, but Attorney General Leslie Rutledge is pushing back. And now let me tell you a little more about how we got here—and about the latest reports showing abortion in Arkansas is near record lows.

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Family Council
President Jerry Cox

MY THOUGHTS: LET US NOT GROW WEARY IN WELL DOING

In Galatians 6:9 the Apostle Paul reminds us not to grow weary in well doing, because in due time we will reap a harvest if we do not grow faint. That's certainly true when it comes to protecting unborn children. In 1973 the U.S. Supreme Court made abortion on demand the law of the land with the stroke of a pen. In 1992 the court reaffirmed abortion with its *Planned Parenthood v. Casey* decision. All that time abortion numbers climbed higher and higher. The day after he was inaugurated in 1993, President Bill Clinton rescinded Ronald Reagan's pro-life Mexico City Policy that prevented federal family planning funding from going to abortionists. For the next eight years the U.S. government subsidized abortion both at home and abroad.

Fast-forward to 2018. Abortion in Arkansas is at levels not seen since 1977. President Reagan's pro-life Mexico City Policy is back in place, and the Trump Administration has greatly expanded it to de-fund as many abortion providers as possible. Arkansas is now the second most pro-life state in America, and Planned Parenthood temporarily stopped doing abortions in Arkansas thanks to a big victory we just won at the U.S. Supreme Court. Several states have passed anti-abortion legislation that a lot of pundits think could set the stage for overturning or drastically changing *Roe v. Wade*. I've heard plenty of people say we would never get here. What if proliferators had given up in 1973? What if we had thrown in the towel in 1992? What if we had simply resigned ourselves to abortion being "safe, legal, and rare"? We are saving the lives of unborn children. By not growing weary, we are bringing in the sheaves of a pro-life harvest.

Planned Parenthood Temporarily Stops Doing Abortions in Arkansas

In 2015 the Arkansas Legislature passed the Abortion-Inducing Drugs Safety Act requiring abortionists who perform chemical abortions to follow the FDA's protocols and ensuring facilities that offer drug-induced abortions contract with a physician who has hospital admitting privileges. Evidence showed Planned Parenthood and other abortion providers weren't following the FDA's instructions for administering RU-486; among other things, they were giving the drugs to women later in pregnancy than they were supposed to. As a result, hundreds of unborn babies in Arkansas had been killed by chemical abortion, and women nationwide had suffered injury or death from the abortion pill. The Abortion-Inducing Drugs Safety Act addressed this.

Planned Parenthood sued, claiming the law was too burdensome, because Planned Parenthood had been unable to find a doctor with hospital admitting privileges who would contract with the abortion giant. For nearly three years Planned Parenthood and the State of Arkansas have been locked in a legal battle over the law. U.S. District Judge Kristine Baker issued orders blocking the law from going into effect in 2016. Then last year the Eighth Circuit Court of Appeals reversed her bad ruling. Planned Parenthood appealed all the way to the U.S. Supreme Court, but in May the court declined to hear Planned Parenthood's appeal.

The Eighth Circuit issued a follow-up ruling saying the law would go into full effect. Because Planned Parenthood would not comply with the law, within a matter of hours, Planned Parenthood was no longer doing any abortions in Arkansas.

On June 8 Planned Parenthood was back in U.S. District Judge Kristine Baker's courtroom with more arguments against the Abortion-Inducing Drugs Safety Act. They've lost one round, but they're still desperately trying to get this law struck down. As of this writing Judge Baker has issued a 100 page order that once again blocks the law from being enforced, but there is a good possibility the Eighth Circuit or the U.S. Supreme Court will rule against her and the law will finally go into permanent effect sometime next year. However, for three weeks Planned Parenthood could not perform a single abortion in Arkansas. That's something to celebrate!

All of this is significant for three reasons:

- 1. Lives Are Being Saved.** Planned Parenthood performed more than 840 chemical abortions in Arkansas last year—roughly one unborn child every 12 hours, on average. Every day that Planned Parenthood does not do chemical abortions, lives are saved.
- 2. Abortionists Have Been Knocked On Their Heels.** Planned Parenthood has run amok in Arkansas for decades. From 2008 to 2016 the Obama Administration made sure the nation's largest abortion provider received public funds and was protected from regulations that states like Arkansas wanted to put in place. All of that is changing. In the past 12 months, Planned Parenthood has suffered defeats in the courtroom. By refusing to hear its appeal, the U.S. Supreme Court dealt Planned Parenthood what we hope is the first of many serious blows. Abortionists have been knocked on their heels for the first time in a long time.

Planned Parenthood Temporarily Stops Doing Abortions in Arkansas (continued)

3.A Landmark Pro-Life Decision Is In The Making. In 2016 the U.S. Supreme Court struck down a Texas law requiring abortion doctors to have admitting privileges at a local hospital. For two years Planned Parenthood has told everybody there's no way Arkansas' admitting privileges requirement can stand, given that ruling. However, the Eighth Circuit Court of Appeals has hinted that Arkansas' admitting privileges requirement is different from Texas'. At the very least, these good rulings are paving the way for other states in the Eighth Circuit to pass good, pro-life laws. If this case goes back to the U.S. Supreme Court, we could see a landmark pro-life ruling handed down that changes the court's 2016 decision. That would be a huge, pro-life victory.

Where Do Things Go From Here? Arkansas likely is in for another 12–24 months of court hearings and legal arguments while abortionists continue to sue the state over the admitting privileges requirement. We are poised for a big win, but Planned Parenthood is trying to make a goal line stand in Arkansas. They know if our admitting privileges requirement holds up, states like Iowa, Missouri, Texas, and others will follow our lead. Their attorneys are going toe-to-toe with Attorney General Leslie Rutledge and her team. Planned Parenthood is grasping at straws to get our good, pro-life law struck down. I believe we are going to see more victories in the days to come—and we probably will suffer a few setbacks along the way—but we are winning the fight to protect women and unborn children from abortion in Arkansas.

Abortion in Arkansas Remains Near Record Lows

On June 4 the Arkansas Department of Health sent us its annual report on the number of abortions. The documents show 3,249 abortions were performed in Arkansas in 2017. That's 42 more abortions than in 2016, but that's still down by more than 1,000 since this time four years ago. In fact, for the past couple of years abortion in Arkansas has remained near levels we haven't seen since 1977. That's really good news.

Today teen abortion is just a fraction of what it was 25 years ago. In 1993 nearly 1,300 teenagers had abortions. Since then that number has fallen to 350 per year. Meanwhile Arkansas' teen birth rate has remained high. While that's nothing to brag about, it shows contraceptives aren't what's driving down Arkansas' teen abortion rates. Teenagers simply are choosing options besides abortion.

The report also showed surgical abortions were down in Arkansas last year, but chemical abortions rose sharply. We believe this may be a result of the Obama Administrations decision to relax the FDA protocols for chemical abortion drugs in the spring of 2016. However, Arkansas has won big victories in federal court against abortion clinics that perform drug-induced abortions, and Planned Parenthood temporarily stopped doing abortions in our state in June. If we can win this fight, I believe Arkansas's abortion numbers could plummet to record lows in the years to come.



Arkansas Pregnancy Resource Center is continuing to offer services through its mobile unit.

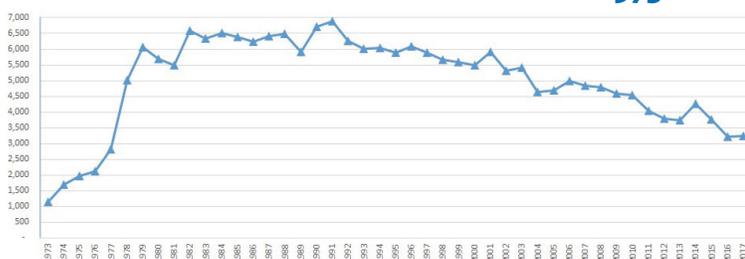
Fire Destroys Central Arkansas Pregnancy Resource Center

In May the Arkansas Pregnancy Resource Center located in west Little Rock was destroyed by an accidental fire caused by maintenance being done on the roof. No injuries were reported, but the building is a total loss. The center's office was located directly across the street from Arkansas' last surgical abortion facility, and has helped countless women choose

The mobile unit offers medical-grade pregnancy testing, ultrasounds, and other services.

options besides abortion. Arkansas Pregnancy Resource Center reported on Facebook that its office will remain closed until further notice. In the meantime the center is continuing to offer services via its mobile unit. The mobile unit offers medical-grade pregnancy testing, ultrasounds, and other services—all free of charge. Women can make an appointment with the mobile unit by calling or texting 501-227-4357.

No. of Abortions in Arkansas Since 1973





Family Council Assistant Director David Cox

POLICY POINTS: ASSISTED SUICIDE IS THE NEXT BIG PRO-LIFE FIGHT

By David Cox

In March, Hawaii became the seventh state to legalize physician-assisted suicide, joining Oregon, Washington, Colorado, Vermont, Montana, California, and the District of Columbia. These states let doctors prescribe lethal drugs to terminally ill patients

who want to end their lives. Family Council has actively opposed physician-assisted suicide and euthanasia for the past two decades. We're winning the struggle to protect unborn children, but I expect assisted suicide to be the next big, pro-life battle in America.

Overall, suicide rates are up in almost every state. Pro-suicide groups are undergoing a massive rebranding campaign. A few years ago the Hemlock Society changed its name to Compassion and Choices; they no longer use the term "physician-assisted suicide." Now they call it "medical aid in dying."

Many Christians struggle to explain why physician-assisted suicide is wrong. Whether you call it physician-assisted suicide or "medical aid in dying," it doesn't change the fact that doctors are prescribing lethal poisons to suicidal patients. You don't eliminate people's suffering by eliminating people who

**Whether it's the unborn or the elderly,
we simply don't have a legitimate excuse
to end an innocent human life.**

are suffering. Using barbiturates to poison a cancer patient is no different from using RU-486 to poison an unborn child. Whether it's the unborn or the elderly, we simply don't have a legitimate excuse to end an innocent human life.

More Than 700 Unborn Children Saved By This Pro-Life Law Since 2015

What would happen if someone saved 731 children from a burning building this afternoon? Reporters would line up to interview that hero. Americans would express their thanks online. The White House would praise him or her. It would be international news. In 2015 Arkansas passed a law that has saved 731 unborn children: Act 1086 of 2015.

In 2001 we worked with members of the Arkansas Legislature to pass an informed-consent law that would require abortionists to give women basic information about abortion. At the time, evidence suggested abortion clinics were herding women in and out of procedure rooms without telling them so much as the name of the doctor who would perform the abortion, much less letting them know there were other options besides abortion.

The Woman's Right to Know Act of 2001 was a good law that stayed on the books for 14 years. In 2015 we decided to build on that law with Act 1086. Act 1086 of 2015 ensures women are given all the facts about abortion—including its risks, possible complications, and alternatives. In 2017 the Arkansas Legislature closed a couple of small loopholes in the law. As a result Arkansas now has arguably the best informed-consent law for abortion in the nation.

The state Department of Health tracks the number of women given information about abortion under the informed-consent law. It also tracks the number of abortions performed in Arkansas. Comparing those numbers, our staff has determined that since 2015, 731 women have chosen not to have abortions after being given all the facts about abortion. Arkansas' informed-consent law literally is saving lives. Today more than 700 toddlers are playing games, dragging pots and pans out of kitchen cabinets, and bringing smiles to peoples' faces—all because of one law we helped pass three years ago.



Here's Our Plan for Funding Pregnancy Resource Centers in Arkansas

Many states give federal Temporary Assistance for Needy Families (TANF) funding to pregnancy resource centers. The funding helps resource centers offer maternity clothes, baby items, and other resources to women with unplanned pregnancies. Not every center wants to mess with the paperwork they have to wade through to receive the funding, but for many the funding has helped them serve more women and families.

Last year I told you we wanted to create a similar program in Arkansas. We have been working on that program for several months, and we believe we will be in a position to start providing grants to pregnancy resource centers in 2019. Here's what we are doing:

We are starting a new foundation in Arkansas—the ARFuture Foundation. This foundation will be a separate organization from Family Council. It will have its own board of directors, and it will employ some part-time staff members to handle administrative tasks. The ARFuture Foundation will help distribute funds to pregnancy resource centers. The foundation will apply with the state for TANF money, and pregnancy resource centers will apply to the foundation for grants that will be funded with TANF dollars.

Other organizations have had success with this model. It is more efficient than requiring all the different pregnancy resource centers to apply individually with the state for funding. It also provides plenty of transparency. Pregnancy resource centers will report expenses to the foundation, and the state will monitor the foundation's finances to ensure the TANF money is being used properly and no one is enriching themselves off the public dole.

**There are two ways to end abortion:
One is to make abortion illegal.
The other is to make abortion unthinkable.
We are working to do both.**

We have had several meetings with state officials who are excited about starting this program. We are working with attorneys to fill out paperwork to start the new foundation, and we plan to have our first board meeting very soon. The process has taken longer than we initially expected, but part of that is because we want to make sure this is done correctly. The last thing we want is for pregnancy resource centers to miss out on funding because of a mistake we made during these initial steps.

There are two ways to end abortion: One is to make abortion illegal. The other is to make abortion unthinkable.

We are working to do both. Our pro-life laws help uphold the sanctity of human life and give unborn children legal protections from abortion. Our work with the pregnancy resource centers empowers women to choose options besides abortion. Giving pregnancy resource centers proper funding to do their important work will help drive Arkansas' abortion numbers even lower.



Right to Life Leader Says Issue 1 Puts a Price Tag on Human Life

In April Arkansas Right to Life Executive Director Rose Mimms published an op-ed at Townhall.com saying Issue 1, a proposed state constitutional amendment, puts a price tag on human life, writing,

"Issue One would put an arbitrary cap of \$500,000 on non-economic and caps punitive damages. In real life this means that if a 40 year old successful business man is killed negligently then his life could be worth millions because you could calculate his current earnings and multiply them out for the future. If a stay at home mom, a child or infant, a retired veteran, an individual with Down Syndrome or other genetic disorder who isn't employed or a nursing home resident who dies as a result of abuse or someone else's error or negligence then those lives are all capped at a value never to exceed \$500,000... Ultimately, Issue One says that some lives are more valuable than others."

Ultimately, Issue One says that some lives are more valuable than others.

Family Council Action Committee announced in March that it would campaign against Issue 1, because the amendment puts a dollar value on human life. Family Council never has opposed responsible tort reforms that protect good people from frivolous lawsuits, but we have opposed legislation like Issue 1 for over 15 years, because it makes it too easy for wealthy corporations to kill other people through negligence without facing significant consequences.

YOUR SUPPORT IS MAKING A DIFFERENCE

Here are a few of the ways your support is making a difference in Arkansas:

- 1. Abortion Legislation:** The number of unborn children being aborted continues to hit historic lows. The laws we helped pass have had a big effect on Arkansas' abortion rate. You have helped us make Arkansas the second-most pro-life state in the nation.
- 2. Reducing the Demand for Abortion:** As the demand for abortion goes down, abortion facilities will be forced to close. We are launching an effort to acquire federal TANF funds for pregnancy resource centers who help women and girls who have unplanned pregnancies.
- 3. Voter's Guides:** People need to know about candidates for office, and you are helping us educate them. We distributed several thousand voter's guides for the May 22 Primary Election, and we're ready to distribute thousands more for the November General Election as well.
- 4. Pastors and Churches:** Pastors need to lead their people to take a stand on the current moral issues of our day. This year we hosted Pastor's Day at the Capitol, where over 200 pastors and other church leaders gathered for a day of worshipping God and influencing our lawmakers for the good.
- 5. Home Schooling:** Parents need to be able to choose home schooling if that's what works for their child. We've worked with the Arkansas Department of Education to rewrite state rules and regulations to make it easier for people to teach their children at home.

If you are able, I hope you will send a generous, tax-deductible donation to Family Council today to help us continue to doing this important work. Your gifts do more than you may know. I never want to take a single gift for granted. That's why we always work to stretch every dollar as far as we can. Your support will help us save the lives of unborn children, educate voters, equip pastors, and much more. I believe God has used your support and the generosity of our other friends across the state to accomplish a lot. Enclosed is a response card and return envelope you can use to mail in your donation today. You also can give securely online by going to www.FamilyCouncil.org. Please remember to pray for all of us at Family Council and for our families.

Thank you for standing with us as we promote, protect, and strengthen traditional family values. **We could not do this without you.** I hope you will let me know if there is ever anything my staff or I can do for you.

Sincerely,



Jerry Cox, President

Thank you!!

P.S. There's so much good news to share! Abortion in Arkansas is remaining near record lows. We've passed a lot of good pro-life legislation in recent years, and those laws are saving the lives of unborn children. Planned Parenthood temporarily stopped doing abortions in Arkansas in June, and we are well on our way toward giving federal funds to Arkansas' pregnancy resource centers. We are winning the fight to protect unborn children in Arkansas. That's why I hope you will send a generous, tax-deductible donation to Family Council today. **Thank you for standing with us.**

