



**FAMILY
COUNCIL**

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**MARCH 2019
UPDATE LETTER**

DEAR FRIENDS,

Will you and I live to see the day that the infamous 1973 *Roe v Wade* abortion decision is no more? I believe we will! A little over 13 years ago I conducted a statewide tour in support of Judge Samuel Alito's nomination to the U.S. Supreme Court. Two other gentlemen and I traveled 5,000 miles in a rental car, zigging and zagging across Arkansas, making front-page news and getting on the radio in over 30 cities and towns where we stopped. Our message was simple: We wanted U.S. Senators Blanche Lincoln and Mark Pryor to vote for Judge Alito's nomination. At the time, Democrats in the U.S. Senate were filibustering President George W. Bush's judicial picks. Many of his nominees were not even getting a fair hearing, and Alito's confirmation was up in the air.

We had more than a few memorable incidents during our 5,000 mile tour across Arkansas. When we stopped for lunch at Wendy's in Jonesboro on our way to a press conference at the court house, one of the gentlemen accidentally spilled ketchup all over the front of his shirt. When he asked the kid working behind the counter for something to clean it with, the kid handed him a dirty rag soaked in ketchup. Of course, that only made the mess worse. Pretty soon his clothes were covered in splotchy, red stains. Ketchup and all, we held a TV news conference. On our way to our next stop in Wynne, we raced through the Jonesboro mall. He bought a new dress shirt, changed in the car, and we made our next stop on time.

We wrapped up our tour stops, and the U.S. Senate ultimately confirmed Samuel Alito to the U.S. Supreme Court not long after that. In February of 2006 I wrote the following in an update letter: "Now that he has been confirmed, I am confident that Alito will move the Court in a more conservative direction. His appointment to the Court brings us a step closer to correcting the terrible mistake the Court made in the *Roe v. Wade* abortion decision."

It's been 13 years since I wrote those words. Where do things stand today? For starters, Justice Samuel Alito has turned out to be very conservative, and the Court has added two more justices who appear to be just as conservative. That puts us even closer than before to undoing some of the Court's terrible mistakes. Several states, including Arkansas, have passed laws that could force the courts to reexamine and possibly overturn *Roe v. Wade*. If that happens, it will be up to the individual states to decide how abortion ought to be regulated. That's why some already have passed legislation that would prohibit abortion if *Roe* is overturned. Arkansas is actually considering a bill along these lines. S.B. 149 by Sen. Jason Rapert (R - Conway) would make abortion illegal if the U.S. Supreme Court reverses *Roe*.

Thirteen years ago, the reversal of *Roe v Wade* was a far-fetched dream that most people couldn't imagine being fulfilled. Now, the end of *Roe* is in sight. Sometimes, an evil that seems unshakable will suddenly fall. The Soviet Union with its Berlin Wall fell quickly. Gross injustices like slavery, the Jewish Holocaust, and even the flood of Noah's day all saw evil come to an abrupt end. Imagine turning on the TV and hearing the news that *Roe v. Wade* has been reversed or dismantled!

Our prayers, our work, and the sacrifice of so many in the fight for the sanctity of human life has not been in vain. Today we live in a state where lawmakers consider it a badge of honor to be pro-life and where voters expect their leaders to oppose abortion. Working together, we have all helped bring this about. We need to press on toward that day when *Roe* is overturned or pushed back so far that it is of no effect. Until then, I thank you for standing with us as we stand for life. Now, here is how we plan on continuing the fight.

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Family Council
President Jerry Cox

MY THOUGHTS: MAKING ARKANSAS THE MOST PRO-LIFE STATE IN AMERICA

Eleven years ago Family Council decided to make an important pivot.

At our core, we never change. Family Council always has been a multi-issue, pro-family organization. That means we deal with a lot of different issues, but we always work to promote, protect, and strengthen traditional family values. We've always been pro-life, but it wasn't always easy to pass pro-life bills in Arkansas. Many of our lawmakers didn't understand the pro-life issue or didn't care enough to make it a priority. Some actually thought abortion ought to be more available, and we had to fight tooth and nail to stop their bad legislation.

All of that changed in the late '90's and early 2000's. Term limits triggered turnover among state legislators and brought a new breed of lawmakers into the public arena. By 2008 the Arkansas Legislature was shaping up to be a distinctly pro-life place, and I decided the time was right to shift most of Family Council's focus in the direction of fighting abortion. In the 11 years since, Arkansas has passed more pro-life bills than in the previous 40 years combined. We've worked hard with our friends at Arkansas Right to Life and at the national level to make Arkansas the second most pro-life state in America.

That's good, but it's not enough. We want to make Arkansas the most pro-life state in the country, and we want to end abortion in our state. To do that, we need to make abortion both illegal and unthinkable. We need to pass good pro-life laws, but we also need to build a culture that values life. We have to do more than restrict abortion. We have to pass laws that protect rights of conscience so that no one can be forced to support or subsidize abortion and abortionists. We have to pass bills letting the next generation of pro-life advocates talk about the horrors of abortion on their college campuses; that means protecting freedom of speech is a priority for us. We have to protect our elderly and our terminally ill from being marginalized or denied medical care. If we can do all of this, I believe we can make Arkansas the most pro-life state in the nation.

And once we've done that, Family Council will pivot again. We're living in a "target rich" environment. There's no shortage of important issues. Our nation faces threats to religious expression and the rights of children and parents every day. Multi-million dollar corporations are beating down the doors to get states like Arkansas to legalize recreational marijuana. With God's help and your support, we're going to make Arkansas the most pro-life state in America, and then we're going to move on to the next fight, and we're going to continue working to fulfill our mission of promoting, protecting, and strengthening traditional family values.

Good Bills Filed at the Legislature

H.B. 1289 (Conscience): This good bill by Rep. Brandt Smith (R – Jonesboro) protects the rights of conscience of all healthcare workers and companies. This will prevent people and organizations from being forced to promote, participate in, or pay for medical procedures that violate their conscience—like abortion. This conscience bill is just as important to us as our pro-life legislation, and Family Council is committed to working as hard as we can to pass this good bill.

S.B. 156 (Free Speech): This good bill by Sen. Bob Ballinger (R – Berryville) and Rep. Dan Sullivan (R – Jonesboro) prevents public colleges and universities from infringing the free speech of students and faculty on campus. In other states, pro-life student groups have faced discrimination on campus, and universities have tried to squelch faith-based student groups. Arkansas State University in Jonesboro currently faces a lawsuit over a policy that relegates speech to certain "free speech zones" on campus; the policy has been

heavily criticized, and many do not expect it to survive a legal challenge. S.B. 156 protects students and faculty from these types of restrictions. Family Council spent the past several months working with attorneys at Alliance Defending Freedom to bring this legislation to Arkansas. We support this bill, and we hope to see it pass before the session is over.

S.B. 149 (Abortion): This good bill by Sen. Jason Rapert (R – Conway) prohibits abortion in Arkansas if Roe v. Wade is ever overturned by the U.S. Supreme Court or by an amendment to the U.S. Constitution. We are pleased to partner with Sen. Rapert in support of this good bill.



Right: Sen. Jason Rapert (R – Conway) presents S.B. 149 to the Senate Public Health Committee.

Good Bills Filed at the Legislature (continued)

S.B. 2 (Abortion): This good bill by Sen. Trent Garner (R – El Dorado) prohibits abortions performed because the baby has Down Syndrome.

S.B. 3 (Abortion): This good bill by Sen. Trent Garner (R – El Dorado) requires abortionists to report complications arising from an abortion. Abortion carries a number of risks and consequences, and the reporting required by this bill will help Arkansas craft better pro-life laws in the future.

S.B. 168 (Abortion): This good bill by Sen. Cecile Bledsoe (R – Rogers) improves Arkansas' Safe Haven Act. It lets a woman surrender her newborn to law enforcement, fire-fighters, or medical personnel if she no longer wants to keep her child. Women who feel like they cannot take

Arkansas' Safe Haven Act protects newborns.

care of their baby sometimes have an abortion or they abandon their newborn shortly after birth. Arkansas' Safe Haven Act protects newborns from being abandoned, and it provides women with options besides abortion. This good bill is the result of the hard work of our friends at Arkansas Right to Life. We are glad we can work with them in support of this legislation.

Bad Bills Filed at the Legislature

H.B. 1164 and H.B. 1290 (Contraceptives): These two bad bills by Rep. Aaron Pilkington (R – Clarksville) let pharmacists dispense oral contraceptives to women without a prescription from a doctor.

Oral contraceptives carry several dangerous health risks—including heart attack, blood clots in the lungs, and bleeding on the brain. That's why women currently need a doctor's prescription to buy birth control pills. Giving women oral contraceptives without the oversight of a doctor jeopardizes women's health and safety.

According to the FDA, oral contraceptives also can cause the death of an unborn child. The pills can prevent the unborn child from implanting and growing inside the mother's womb. That makes H.B. 1164 and H.B. 1290 a human life issue, as well. Family Council opposes both of these bills.

H.B. 1150 (Marijuana): This bad bill by Rep. Doug House (R – North Little Rock) expands the list of "qualifying conditions" in Arkansas' marijuana amendment, making it easier for people to use "medical" marijuana. Among other things, the bill actually lets people with lung diseases like emphysema smoke marijuana for their health. You cannot make this up. Marijuana is a blight on our communities, and Arkansas' marijuana amendment already is too vague and open-ended. Marijuana needs to be restricted—not expanded.

Other Noteworthy Bills Filed at the Legislature

H.B. 1294 (DUI): This bill by Rep. Jana Della Rosa (R – Rogers) gives officials discretion when prosecuting DUI cases. Some are concerned the bill may make it less likely that drunk drivers will be prosecuted.

S.B. 190 (Genetic Counseling): This bill by Sen. Greg Leding (D – Fayetteville) creates a state license for genetic counselors in Arkansas. Genetic counseling gives some pro-life advocates pause, because it can be used to promote abortion—particularly when the unborn baby may have Down Syndrome.

How to Contact Your State Legislators

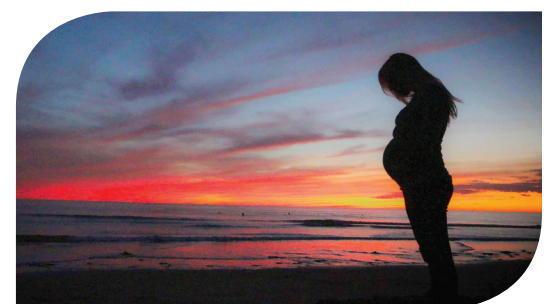
Here's how to contact your state legislators about important bills: You can leave a message for your state senator by calling the Arkansas Senate during normal business hours at (501) 682-2902. You can leave a message for your state representative by calling the Arkansas House during normal business hours at (501) 682-6211. If you need help finding out who your state senator or representative is, call our office at (501) 375-7000.

Join Our Prayer Network!

The Arkansas Legislature is in session, and Family Council has a number of prayer needs. If you would like to receive updates and prayer requests from us from time-to-time, please call or email Erin on our team at (501) 375-7000 or erin@familycouncil.org. Erin will send you emails letting you know about different prayer needs in our office.

Preparing to Apply for Federal Funding for Pregnancy Centers

After more than a year of planning, discussions with state officials, and filing paperwork with the government, the ARFuture Foundation is preparing to apply for federal Temporary Assistance for Needy Families funds that can be distributed to Arkansas' pregnancy resource centers. This money will help Arkansas' pregnancy centers provide women with real options besides abortion. These centers offer women everything from pregnancy testing to maternity clothes to baby supplies to adoption referrals—all free of charge. I really believe this new foundation is going to do a lot of good in Arkansas and will help bring our state one step closer to making abortion unthinkable.



Arkansas Wins Legal Victory Over Fayetteville Ordinance

On January 31, the Arkansas Supreme Court ruled the City of Fayetteville cannot enforce an ordinance that gives special protections based on sexual orientation and gender identity. The court case stems from a so-called “nondiscrimination” ordinance the City of Fayetteville adopted despite state law to the contrary. The Intrastate Commerce Act that Sen. Bart Hester (R – Cave Springs) and Sen. Bob Ballinger (R – Berryville) sponsored in 2015 prevents cities and counties from creating protected classes that are not found in state laws like the Arkansas Civil Rights Act, and it’s the reason Fayetteville’s ordinance was ruled unenforceable.

Besides running afoul of state law, the Fayetteville ordinance has a number of significant problems. Under Fayetteville’s ordinance, a minister could be penalized for declining to solemnize a same-sex marriage, and people of faith who own catering services, florist shops, and wedding venues could be penalized for choosing not to participate in same-sex ceremonies. The ordinance also would have made it possible for men to enter women’s locker rooms, restrooms, shower facilities, and changing areas—and vice versa.

After more than three years of legal wrangling, the state’s highest court has handed us a solid victory in this case.

Arkansas Attorney General Leslie Rutledge and her office have worked tirelessly to stop the City of Fayetteville from enforcing this unlawful ordinance. The lawsuit over this ordinance has bounced from court to court in the state, but the A.G.’s team has been very proactive at every turn. I don’t think the Christian attorneys at Alliance Defending Freedom could have done a better job in this case—and they’re the best in the nation.



In January students from Victory Christian School in southwest Arkansas came to Little Rock to tour the capitol and learn about the legislative process. Our team was pleased to get to help show them around during this visit.

WE NEED YOUR HELP

We are in the throes of the 2019 Arkansas Legislative Session. Luke, Ken, Charisse, and I are at the capitol anytime lawmakers are meeting. We are working to make sure good bills pass, bad bills fail, and voters know what’s happening in Little Rock. Not everyone in Arkansas is in a position to do that, but we are. We’re on the brink of seeing Arkansas become the most pro-life state in America. We’re ready to push back against any attacks on religious liberty and rights of conscience. We cannot do any of this without you. That’s why I hope you will support our work by sending Family Council a generous, tax-deductible donation, if you are able. Your gift will help us continue standing strong for traditional family values in Arkansas.

Thank you for your financial support, your kind words, your friendship, and your prayers. Please let me know if there is ever anything my staff or I can do for you.

Sincerely,

Jerry Cox, President

Thank you!!

P.S. Arkansas recently won a major victory over the “nondiscrimination” ordinance Fayetteville passed in 2015. A number of really good pro-life bills have been filed at the legislature. A few bad bills have been filed too. We’re working hard to make sure good legislation passes and bad legislation fails. We’re also preparing to help pregnancy resource centers access federal funding. Your generous support makes all of this possible. Please send a generous, tax-deductible donation today, if you are able. **Thank you for standing with us.**