



**FAMILY  
COUNCIL**

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**FEBRUARY 2021  
UPDATE LETTER**

## *Dear Friends,*

Nearly 1,800 years ago a Christian minister gave his life for his faith. His name was Valentine, and he served as a church leader in Rome during the third century.

Valentine ministered to believers at a time when Christians faced significant persecution from the Roman government. According to tradition, Roman officials had passed laws prohibiting the solemnization of Christian marriages. Valentine, being a minister, continued performing Christian marriages and preaching the gospel. Because of his faithfulness to Christ, the Romans arrested him and ultimately had him put to death.

When it comes to Saint Valentine’s life and legacy, it’s difficult to separate fact from fiction, but his martyrdom inspired the holiday that people all over the world celebrate on February 14—Valentine’s Day. It’s difficult to imagine someone dying for their Christian convictions regarding marriage. The truth is Christianity’s view of marriage—the loving, respectful, faithful union of one man to one woman for a lifetime—was not like the Roman view that treated marriage like a business contract and often made excuses for infidelity.

Amazingly, as the gospel spread throughout Europe, so did Christianity’s teachings about marriage. Eventually, the Christian concept of what a marriage ought to be became the dominant view throughout much of the world. In his book *The Future of Christian Marriage*, Dr. Mark Regnerus of the University of Texas published interviews with young people who still hold views of marriage rooted in Christianity. They talk about a lifelong union and how marriage is part of forming a family. Even though our society has tried to redefine marriage in recent years, people still hold ideas about marriage that early Christians like Saint Valentine gave their lives for.

The big difference, as commentator John Stonestreet recently noted, is young people see marriage as a finish line rather than a starting line. In the past, couples understood marriage is a springboard for building a family and a successful life together. Today marriage is something couples think about after they’ve met other goals.

About ten years ago researchers at the Heritage Foundation published a report showing a simple, four-step process people could follow to avoid poverty: Finish high school. Get married. Have children. Stay married.

If people did those four things in that order, researchers concluded, then their odds of living in poverty were almost nonexistent. In fact, being married has roughly the same effect on poverty as adding five to six years to a parent’s education. Marriage prepares men and women for the life ahead of them like a good education does.

I know for many different reasons not everyone is able to find a husband or wife for a lifetime, and there are single moms out there who work very hard to provide for their families. But generally speaking, stable marriages are good for parents, good for children, and good for our communities.

To many people, Valentine’s Day may just be a time when clueless husbands rush to Walgreen’s at the last minute to buy the most expensive-looking chocolates and flowers they can find. But it commemorates a Christian who gave his life for God’s view of marriage. That’s a view worth devoting our lives to today. Marriage and family are bedrocks of society. And now let me tell you a little more about how we’ve been standing up for families in Arkansas—and how you can too.

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Family Council  
President Jerry Cox

## MY THOUGHTS: GENERATIONS YET UNBORN ARE COUNTING ON US

I have waited until now to respond to events surrounding the Presidential Election.

The Bible says in James 1:19-20, "Wherefore, my beloved brethren, let every man be swift to hear, slow to speak, slow to wrath: For the wrath of man worketh not the righteousness of God." (KJV)

I have been listening and waiting to speak. I am no longer angry—just very sad.

No matter how frustrated we are with the election, the media, the cancel culture, the riots all year long, and what happened at our Capitol on Wednesday, January 6, violence and destruction are not the answer. We must maintain the rule of law; otherwise our republic will fall. The people who committed violence in and around our nation's Capitol will have to answer to the rule of law, and I expect justice to be served. Election fraud is a crime, and anyone committing it needs to be held accountable as well.

Holding lawbreakers accountable is much easier than restoring confidence in our institutions such as honesty in our elections, integrity in those we elect, trust in the news we hear, and the belief that God-given human rights will be protected by our government rather than trampled by it. This will take work.

Those who enlist in the military, members of congress, and others pledge an oath to support and defend the Constitution of the United States against all enemies both foreign and domestic. That oath is not to any person, political party, or group. As Americans, that Constitution belongs to each of us, and its principles guide our laws and protect our God-given rights. Defending it is not just a nice thing to do—our very survival as a people, a culture, and a nation depends on it.

America has been under constant attack from the day our forefathers signed the Declaration of Independence until today. Foreign powers have tried to destroy us. Internal forces have tried to change us. We all know that the price of freedom is eternal vigilance. When those before us handed us this republic, it wasn't on a silver platter. Instead it was on a platter stained with blood, sweat, and tears from thousands of patriots down through the years. Indeed, they left it up to us to keep it.

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Over 30 years ago I was led by God to launch Family Council. I saw the decay in our culture, our nation, and our government. As today, there was a need to promote traditional family values—defend the unborn—support religious liberty—and bring biblical values into the halls of government. By the grace of God, I have done so, and by His grace I plan to continue, because the job isn't finished.

Now is the time for good people, especially Christians, to stand up and be heard, to be counted, to be strong, and to take action. The halls of government need you. Our institutions need our honesty and integrity. Freedom is only found in Jesus Christ. Please don't hide that light under a bushel. Let it shine everywhere so all can see. Nothing else will do. It will take sacrifice, but it will be worth it. Generations yet unborn are counting on us.



Protesters breach the U.S. Capitol Building on Wednesday, January 6, 2021. Image sourced from C-SPAN.

## Arkansas Suffers Two Pro-Life Setbacks in Court

On January 5, our state suffered two pro-life setbacks in court. The first came when a three-judge panel from the Eighth Circuit Court of Appeals affirmed a lower court's injunction blocking two pro-life laws the Arkansas Legislature passed in 2019: Act 493 prohibiting abortion after the eighteenth week of pregnancy, and Act 619 prohibiting abortions performed because a baby might have Down Syndrome. Family Council supported both of these bills.

All three judges ruled against the laws because they believed the laws violated the Supreme Court's 1992 *Planned Parenthood v. Casey* decision. However, Circuit Judge Shepherd and Circuit Judge Erickson on the panel both wrote opinions calling for the U.S. Supreme Court to "reevaluate its jurisprudence" regarding abortion and asking the supreme court to revisit its bad decisions. Judge Erickson even went so far as to say, "In Western society, there is currently no more threatened population than children with Down syndrome" and that he wished he could affirm Act 619. At this time, we are still waiting to find out if Arkansas Attorney General Leslie Rutledge and her team will appeal this bad decision to the entire Eighth Circuit Court of Appeals.

The second setback came a few hours later when U.S. District Judge Kristine Baker ordered four pro-life laws Arkansas passed in 2017 to remain blocked.

The laws are Act 45 of 2017 prohibiting certain surgical abortion procedures that dismember a living unborn child; Act 733 of 2017 prohibiting abortions performed due to the baby's sex; Act 1018 of 2017 requiring abortionists to report abortions performed on any girl under the age of 17 to law enforcement in case the girl turns out to be the victim of sexual assault; and Act 603 of 2017 requiring aborted fetal remains to be disposed of according to the Arkansas Final Disposition Rights Act of 2009.

## Good and Bad Bills Filed at the Legislature

Our team is currently monitoring about two dozen pieces of legislation at the Arkansas Capitol. Here is a brief rundown of good bills, bad bills, and bills that we simply are monitoring.

### Good Bills Filed

**S.B. 6 (Prohibiting Abortion):** This good bill by Sen. Jason Rapert (R – Conway) and Rep. Mary Bentley (R – Perryville) prohibits abortion in Arkansas, except in cases when the mother's life is in jeopardy. Family Council fully supports this good bill. We are working closely with Sen. Rapert to pass this good bill that could save the lives of thousands of children and give the courts an opportunity to overturn decades of bad, pro-abortion rulings.

This is at least the third time in less than four years that Judge Baker has blocked these good laws. She blocked them in 2017, but a three-judge panel from the Eighth Circuit unblocked them last August. Judge Baker has given the ACLU and the abortion industry in Arkansas nearly everything it has ever asked for, but the judges above her at the Eighth Circuit have been much more reasonable about these laws. They protect women from dangerous abortion practices, and they prohibit barbaric abortion procedures that tear living unborn children apart. They also help stop companies from buying and selling organs and tissue harvested from aborted babies, and they pro-

**Even though we've suffered some setbacks, I believe other victories are still to come.**

tect girls who may be victims of sexual assault. These are good laws, and our courts ought to uphold them. I believe there's a good possibility that the Eighth Circuit ultimately will do exactly that as Attorney General Rutledge appeals the decision.

Arkansans should be proud of Attorney General Rutledge and her team. Attorneys with the ACLU filed legal briefs against these laws just before Christmas, and the A.G.'s team had to work through the holidays to defend Arkansas pro-life policies. I don't know of any attorney general's office in the country that is doing more to protect the unborn than Attorney General Leslie Rutledge's. Even though we've suffered some setbacks, I believe other victories are still to come.

**S.B. 85 (Abortion):** This good bill by Sen. Cecile Bledsoe (R – Rogers) and Rep. Joe Cloud (R – Russellville) requires an abortionist to show an ultrasound image of the unborn baby to the pregnant woman before an abortion. Currently, Arkansas law says an abortionist must offer to let the woman see the ultrasound image. Research indicates that some women are less likely to have an abortion once they see an ultrasound image of their unborn child. That means pro-life bills like S.B. 85 can help further decrease the number of abortions in Arkansas. Arkansas Right to Life is the chief proponent of this bill, and we fully support their efforts.

**H.C.R. 1007 (Abortion):** This good resolution by Rep. Jim Wooten (R – Beebe) and Sen. Jason Rapert (R – Conway) recognizes January 22—the anniversary of the U.S. Supreme

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## Good and Bad Bills Filed at the Legislature *(continued)*

Court's *Roe v. Wade* abortion decision—as “The Day of Tears” in Arkansas. The resolution acknowledges the 61 million unborn babies killed in abortion in America over the past five decades, and encourages Arkansans to lower their flags to half-staff on January 22 to mourn the innocent children who have lost their lives.

**H.B. 1116 (Simon’s Law):** This good bill by Rep. Jim Dotson (R – Bentonville) and Sen. Bart Hester (R – Cave Springs) is named in honor of an infant in Missouri who died after doctors put a Do Not Resuscitate order on his chart without his parent’s knowledge or permission. If passed, it would protect children in Arkansas from being denied life support or having a DNR placed on their medical charts without parental consent.

**H.B. 1160 (Used Car Tax):** This good bill by Rep. John Payton (R – Wilburn) and Sen. Jason Rapert (R – Conway) would eliminate the tax on used cars sold for less than \$7,500; the bill contains a provision that would take effect in 2023 eliminating the tax on used cars sold for less than \$10,000. Family Council has worked for years to eliminate the used car tax, because it hurts single moms and middle class families who often can barely afford to buy a used vehicle, much less pay sales tax on one.



Above: Rep. Payton presents legislation reducing the used car tax in this file photo from March 20, 2019.

**H.B. 1211 (Religion is Essential):** This good bill by Representative Mary Bentley (R – Perryville) and Senator Kim Hammer (R – Benton) recognizes that religion and religious organizations are essential in Arkansas. H.B. 1211 will protect churches and religious groups without hampering the government’s ability to respond during a pandemic.

**H.B. 1061 (No Patient Left Alone):** This good bill by Rep. Julie Mayberry (R – Hensley) and Sen. Breanne Davis (R – Russellville) protects patients from being left alone and

denied visitors in hospitals, nursing homes, and similar facilities. No one should be barred from being in the hospital with their dying child, spouse, or parent. This bill helps address that in Arkansas.

### Bad Bills Filed

**S.B. 3 (Enacting Hate Crimes Legislation):** This bad bill by Sen. Jim Hendren (R – Gravette) and Rep. Fred Love (D – Little Rock) enacts hate crimes legislation by enhancing penalties for crimes committed against certain protected classes of people listed in the bill. The bill is virtually identical to H.B. 1020. Family Council has opposed hate crimes legislation for more than 20 years, and we oppose this bill as well.

**H.B. 1020 enacts hate crimes legislation by enhancing penalties for crimes committed against certain protected classes of people.**

**H.B. 1020 (Enacting Hate Crimes Legislation):** This bad bill by Rep. Fred Love (D – Little Rock) and Sen. Jim Hendren (R – Gravette) enacts hate crimes legislation by enhancing penalties for crimes committed against certain protected classes of people listed in the bill. The bill is virtually identical to S.B. 3. Family Council has opposed hate crimes legislation for more than 20 years, and we oppose this bill as well.

**H.B. 1148 (Alcohol):** This bill by Rep. Frances Cavanaugh (R – Walnut Ridge) and Sen. Missy Irvin (R – Mountain View) overhauls Arkansas’ local option election law concerning alcohol. The bill reduces the threshold for taking a county wet or dry via a petition drive. Liquor stores in wet counties would be able to continue operating even if the county voted to go dry. The bill would make it easier for some cities or towns in a dry county to be wet while the rest of the county is dry.

**H.B. 1066 (Alcohol):** This bill by Rep. Aaron Pilkington (R – Clarksville) would let microbrewery operators ship beer directly to private residences anywhere in the state of Arkansas or to residences in other states that allow direct shipment of alcohol. The bill does not appear to contain sufficient safeguards to prevent alcohol from being delivered to someone who is under 21 or who lives in a dry county.

**H.B. 1228 (Public Drinking):** This bill by Rep. Lee Johnson (R – Greenwood) and Sen. Breanne Davis (R – Russellville) would let cities in dry counties approve public drinking in “entertainment districts” if the city contains a private club that serves alcohol. Under Arkansas’ “entertainment district” law, alcohol can be carried and consumed outdoors on city streets and sidewalks around bars and restaurants, if approved by the city council.

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## Good and Bad Bills Filed at the Legislature *(continued)*

### Other Bills We Are Watching

**S.B. 32 (Alcohol):** This bill by Sen. Jane English (R – North Little Rock) and Rep. Karilyn Brown (R – Sherwood) would let retail liquor permit holders — such as liquor stores — deliver alcoholic beverages to private residences in the county where the store is located. The bill is not as broad

as H.B. 1066, but it still may not contain enough safeguards to prevent alcohol from being delivered to someone who is under 21.

**S.B. 76 (Alcohol):** This bill by Sen. Lance Eads (R – Springdale) and Rep. Robin Lundstrum (R – Springdale) lets “excursion trains” serve alcoholic beverages to passengers.

## The “Hate Crimes” Proposal Was Prepared by a Select Few in Private—and They Got It Wrong

*By Lt. Governor Tim Griffin*

The legislature is currently considering “hate crimes” legislation that would create enhanced criminal penalties for crimes motivated by prejudice on the basis of race, religion, sexual orientation, gender identity, and other grounds. This bill may be well intentioned, but it is poorly written and should be defeated.

First, this legislation was put together by a small group of legislators and political interests in private without input from the legislature and the public. Instead of bringing Christian and conservative groups like Family Council and the Alliance Defending Freedom to the table to work out issues that could be problematic, a small group of elected officials—including Attorney General Leslie Rutledge and Senators Jim Hendren and Joyce Elliott—announced the bill at a press conference designed to generate headlines rather than bring all the stakeholders together. On an issue that potentially impacts fundamental liberties like freedom of speech and freedom of religion, the least we should be able to expect is an inclusive process that allows for a full airing of views to ensure this is done right.

Second, we must also be concerned about the unintended consequences this bill might create as written. While this bill protects some groups, it leaves out others. Less than four years ago, my good friend, Congressman Steve Scalise from Louisiana, nearly lost his life because he was shot by a man who went to the Congressional Republican baseball practice determined to kill Republicans. The shooter was full of hate for Republican leaders. Under this bill, that hate doesn’t count. With the rise of violent left-wing groups like ANTIFA, we’ve seen a growing amount of violence perpetrated against innocent people because of their beliefs or perceived beliefs. This bill doesn’t protect them.

Third, because this bill is not limited to violent crime, there are also concerns that politically motivated prosecutors might use this law as a weapon to punish those who don’t share their views on cultural hot-button issues. While the U.S. Supreme Court has ruled you have a right to burn an American flag as a matter of free speech, citizens in other

states have been convicted on hate crime charges for burning flags or destroying a mural of a protected group. Crimes? Yes. Hate crimes? That’s a more complicated question the answer to which is not always so clear. For example, if Christians engage in civil disobedience while expressing their religious-based opposition to gay marriage, their civil disobedience could be characterized as a hate crime.

Our Founding Fathers took extra care to protect our fundamental liberties in the Bill of Rights. The least we should do is take extra care to make sure we don’t erode them.

**This bill could yield a bevy of unintended consequences for the people of our state.**

As a former U.S. Attorney and a U.S. Army Reserve JAG officer in my 25th year, I firmly believe in “justice for all.” Those are the words contained in our Pledge of Allegiance. There’s a reason that Lady Justice is typically depicted wearing a blindfold—to indicate that justice should be blind. There is no doubt that we have not always lived up to that standard in America. I believe that racism is sinful and abhorrent, and if it is found to exist in our laws, we should remove it. Unfortunately, this bill won’t eliminate racism, but it could yield a bevy of unintended consequences for the people of our state. Any hate crime legislation passed by our state should include the seal of approval from faith leaders and be airtight regarding the protection of fundamental freedoms like freedom of speech and freedom of religion. Unfortunately, this bill doesn’t meet that standard.



*Lt. Governor Tim Griffin is a U.S. Army Reserve JAG officer, a former U.S. Attorney, and a former congressman for Arkansas’ Second Congressional District.*

## Pro-Life Activists Arrested at Surgical Abortion Facility in Little Rock

A little before 8:00 AM on Friday, January 15, Little Rock police arrested seven pro-life activists for criminal trespassing at Little Rock Family Planning Services—Arkansas' only surgical abortion facility. Videos streamed and posted on YouTube and Facebook show seven people blocking the entrance to Little Rock Family Planning. At least six police cruisers and numerous officers responded to the situation and arrested the pro-lifers while an estimated 30 pro-life advocates prayed and protested from the sidewalks outside the facility.

Those arrested appeared to be part of a pro-life group that came to Little Rock from Mississippi to protest abortion and block the abortion facility. Police promptly released all seven people once they were removed from Little Rock Family Planning Services' property. At this time, we do not know of any charges pending against them. According to information anti-abortion groups circulated on Facebook, among those arrested were a teenage girl and an elderly woman who survived a communist gulag. Obviously, we do not blame the police for doing their job in enforcing Little Rock's laws against trespassing.

Although it isn't very common, this is not the first time that pro-lifers have been arrested for blocking an abortion facility entrance in Little Rock. On July 8, 1994, Little Rock police arrested 29 people from Operation Rescue. The individuals had traveled to Little Rock, where they blocked the entrance to an abortion facility that Dr. Mose Smith operated down the street from War Memorial Stadium; that facility has long since shut down.

As we said in July of 1994, Family Council agrees with stopping abortion through any legal means. We've never utilized the more aggressive tactics that some groups use. The folks from Mississippi who came to Little Rock last month and Family Council both have a mutual goal of ending abortion. That's what matters to us.



Above: A Little Rock police officer arrests a pro-life activist for blocking the entrance to Little Rock Family Planning Services on January 15, 2021.

## WE NEED YOUR HELP

The Arkansas Legislature is in full swing. Family Council is determined to stand up for what is right and oppose what is wrong at the capitol. That's why we need your help. If you are able, I hope you will send a generous, tax-deductible gift to Family Council today. Your support will empower us to save unborn children, fight the expansion of alcohol and gambling in our communities, and protect families like yours.

Thank you for standing with us. **We've been going to the Arkansas Legislature since 1989 because good friends like you believe in what we do.** Please let me know if there is ever anything my staff or I can do for you.

Sincerely,

A handwritten signature in blue ink that reads "Jerry Thank you!!". The signature is written in a cursive, flowing style.

Jerry Cox, President

P.S. I hope you enjoy this special essay from Lt. Governor Tim Griffin about the proposed hate crimes measures in Arkansas. Corporate lobbyists are pushing hard to pass this bad legislation. We can stop it if enough Arkansans call their legislators and ask them to vote "no" on any hate crimes proposal.



**About Us:** Family Council is a conservative, Christian non-profit organization based in Little Rock, Arkansas. Jerry Cox founded Family Council in 1989 in association with Dr. James Dobson and Focus on the Family. Our mission is to promote, protect, and strengthen traditional family values. We educate and equip families and churches to make Arkansas a better place to live, work, and raise a family, and we lobby lawmakers and elected officials on important issues that matter to families. Our work is funded by generous supporters all over Arkansas.