



**FAMILY
COUNCIL**

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**JANUARY 2023
UPDATE LETTER**

Dear Friends,

2023 is here! Just yesterday it was 1989, and I was walking into the State Capitol for the first time to pass a pro-life bill! Thirty-four years go by pretty quickly. As you can imagine, some things at the State Capitol are different and some are the same.

There's no more smoking in the Capitol. Back then, laws were literally made in smoke-filled committee rooms with all of us non-smokers gasping for air. One lawmaker looked me straight in the eyes, blew smoke out of his nose and told me he wasn't afraid of anything!

There were no term limits, so I was lobbying people who had been in the legislature since the early 1940's—longer than I'd been alive.

Most everyone in the building was a Democrat—there were maybe two Republicans in the Senate and half a dozen in the House. But there were lots of pro-life Democrats. Sen. Lou Hardin and Rep. Frank Willems were pro-life Democrats who sponsored our first pro-life bill, and Governor Bill Clinton signed it into law—after some deal-making with one of the sponsors.

People made fun of us. One of their favorite terms was "God Squad."

Finally, I came to wear the "God Squad" name as a badge of honor rather than the insult the media, lawmakers, and other lobbyists intended it to be. I could tell that some people at the Capitol didn't want to be seen with me, others just ignored me, and a few would make snide remarks. Overall most were pretty nice to me, but the mean ones stand out more.

One day in particular I was feeling pretty low. I left the Capitol and headed home. Somewhere along the way I was praying, and I heard this quiet voice say, "Who am I?" The answer immediately came to me and I replied, "Lord, you are the King of kings and Lord of lords." Instantly, there was another question. "Who do you represent?" I thought for a minute, and the answer was clear. I said, "I represent You, Lord."

Then came the revelation. I understood that I didn't have to explain why I was at the Capitol, apologize for being pro-life, or hide my light under a bushel to get along. After all, I wasn't there to represent myself, I was there to represent the King of kings and Lord of lords. That's pretty cool!

So I squared my shoulders and went back to the Capitol. I'd like to say I was treated differently, but the mean ones were just as mean and rude as ever. But I changed. I began to walk those halls and behave as if I was in the majority. My confidence grew, because I knew why I was there, and I knew who I represented.

Don't dare think that the realization about representing the King of kings and Lord of lords made me arrogant. It was the opposite. Because I didn't want to dishonor the one I represented I was careful to always demonstrate love and respect, tell the truth, forgive, and not render evil for evil.

In just a few days, the legislature will convene. If God allows, we will be there for our thirty-fifth year representing the King and kings and Lord of lords.



Family Council
President Jerry Cox

MY THOUGHTS: WISHING GOVERNOR HUTCHINSON WELL AS HE LEAVES OFFICE

In January of 2015, Asa Hutchinson was sworn in as Governor of Arkansas. His tenure as the state's chief executive ends this month.

Looking back at Governor Hutchinson's administration, it's safe to say that it was an overwhelmingly good season for pro-family policy in Arkansas. As far as our team can tell, Governor Hutchinson signed almost 50 pro-life bills into law. That is more pro-life legislation than any other governor in U.S. history. His office presided over the reversal of *Roe v. Wade* and the implementation of Arkansas' laws prohibiting abortion except when the mother's life is at risk. In 2015 the governor signed an excellent religious freedom restoration measure into law in Arkansas. In 2017 he signed a measure letting home schoolers participate in interscholastic activities alongside public school students. In 2019 he signed legislation strengthening Arkansas' penalties for physician-assisted suicide. In 2021 he signed legislation protecting healthcare workers' rights of conscience. The list goes on and on.

The governor has been good enough over the years to sign the high school diplomas for the home schoolers who graduate through the Education Alliance's home school graduations that we host. In years past he has let us honor Arkansas' longest-married couples with a reception at the Governor's Mansion. Last year we were pleased to have Governor Hutchinson appear as our featured guest at our online prayer meeting.

On a personal note, I've known Asa and Susan for many years—since before his time in congress, at the DEA, and in the Governor's Office. He and I agree on social and moral issues most of the time. There have been a few occasions where we disagreed—such as on some LGBT issues, on hate crimes legislation, and on the types of exceptions we ought to put in the state's abortion laws.

But none of that has caused me to stop calling Asa Hutchinson my friend. Governor Huckabee once said that when you are governor it looks a whole lot different from the inside looking out than from the outside looking in. I have always appreciated the fact that Governor Hutchinson consistently demonstrated what it meant to disagree with someone without being disagreeable. We certainly could use more of that attitude around the legislative process.

I want to wish Governor Hutchinson and First Lady Susan Hutchinson all the best, and I hope our paths continue to cross down the road.



In 2019 Gov. Hutchinson signed a good law prohibiting abortion after the 18th week of pregnancy. It was one of the many pro-life measures enacted during his time as Governor of Arkansas.



Assistant Director
David Cox

Policy Points: Eighth Circuit Ultimately Will Decide Whether or Not Arkansas Can Protect Children From Sex-Change Procedures

By David Cox, Assistant Director

In November the lawsuit over Arkansas' Save Adolescents From Experimentation (SAFE) Act went to trial at the federal courthouse in Little Rock. At this time we are still waiting for a final decision in the case.

The SAFE Act protects children in Arkansas from sex-reassignment pro-

cedures, puberty blockers, and cross-sex hormones. The Arkansas Legislature passed the SAFE Act in 2021, but a lawsuit by the ACLU has prevented the state from enforcing the law. Ultimately, all sides seem to agree that this lawsuit will be appealed and resolved by the Eighth Circuit Court of Appeals. That process could take another 12–18 months or so. There is even a slim possibility the case could be appealed all the way to the U.S. Supreme Court.

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Policy Points: Eighth Circuit Ultimately Will Decide Whether or Not Arkansas Can Protect Children From Sex-Change Procedures (continued)

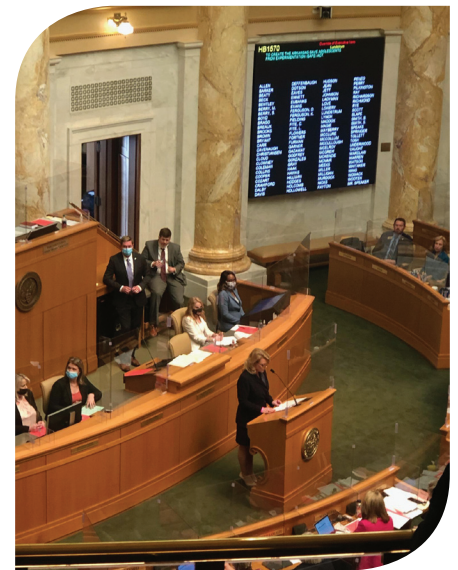
As we keep saying, researchers do not know the long term effects that puberty blockers and cross-sex hormones have on kids. The U.S. Food and Drug Administration has never approved puberty blockers and cross-sex hormones for gender transition. Doctors are giving these hormones to kids off-label, in a way that the FDA never approved. Clinical trials do not support the gender transition process that many doctors in America use for children. Last summer the U.S. Food and Drug Administration even added a warning label to puberty blockers after biological girls unexpectedly experienced vision loss and brain swelling.

The expert testimony in the trial over the SAFE Act has revealed some important information too. For one thing, the demographics of transgender youth is changing in ways that scientists do not yet understand. In the past 20 years the number of children who identify as transgender has inexplicably skyrocketed. That sudden rise is particularly pronounced among biological girls. In October researchers at Vanderbilt University published a study in *JAMA Pediatrics* showing the number of so-called “gender-affirming chest surgeries” performed on adolescents in the U.S. rose 389% from 2016 to 2019. Nearly all of those surgeries were elective mastectomies performed on biological girls who believe they are boys. Very few medical experts

are brave enough to ask why this sudden increase is happening, because asking questions draws ire from the transgender community.

There’s a lot more that could be said about all of this—like, how some gender clinics in Europe are shutting down or reevaluating how they treat transgender youth. Evidence is mounting that puberty blockers, cross-sex hormones, and sex-change procedures are not right for children. With that in mind, our federal courts ultimately should uphold the SAFE Act and let Arkansas protect these children from life-altering procedures.

On April 6, 2021, the Arkansas Legislature overrode the governor’s veto and enacted the SAFE Act protecting children from sex-reassignment procedures. However, the law has been tied up in federal court since the summer of 2021.



Lawsuit Over Ten Commandments Monument Still Languishing in Court

The lawsuit over Arkansas’ monument of the Ten Commandments is still languishing in federal court. In 2015 the Arkansas Legislature passed a measure authorizing placement of a privately-funded Ten Commandments monument on the State Capitol Building grounds. Shortly after it was unveiled in 2018, atheist groups and the Satanic Temple joined a lawsuit to have the monument removed.

The case originally was set to go to trial in July of 2020, but it was postponed due to the COVID-19 pandemic. In September the plaintiffs and the defendants in the lawsuit both asked U.S. District Judge Kristine Baker to establish a schedule that would allow the lawsuit to go to trial by June 5, 2023. As of early December, it isn’t clear if Judge Baker will accept their request for a timeline.

As we have written before, there should not be anything controversial about a monument honoring the significance of the Ten Commandments. Arkansas’ monument of the

Ten Commandments is identical to one the U.S. Supreme Court ruled constitutional in Texas in 2005. Historians have long recognized the Ten Commandments as one of the earliest examples of the rule of law in human history, and they have helped shape the laws in countries around the world. Arkansas’ monument simply honors that legacy. Hopefully our courts will recognize that fact and resolve the lawsuit over the monument quickly.



Federal Indictments Highlight Illegal Drug Trafficking Between California, Colorado, and Arkansas

If you don't think the drug cartels have a presence in Arkansas, consider some of the news that has been reported the past few months. In November the U.S. Department of Justice announced 45 individuals had been indicated on suspicion of being tied to drug trafficking and violent crime in Little Rock and Pine Bluff. The arrests and indictments reportedly were the result of FBI investigations into two rival gangs in central Arkansas.

In a press release, the DOJ said that in August of 2021 DEA agents and North Little Rock Police determined that methamphetamine and fentanyl "were being mailed into Arkansas from California, and these shipments—which included kilogram-quantities of methamphetamine and thousands of pressed fentanyl pills—were then distributed to individuals in Little Rock and Pine Bluff as well as Houston, Texas." Over the course of the investigation, law enforcement discovered gangs were funding their violent crimes through the sale of drugs—including high-grade marijuana. Investigators reportedly found evidence of drug trafficking and travel between Arkansas and Texas, California, Arizona, Georgia, Mississippi, Tennessee, and Oklahoma.

Experts report that illicit marijuana and opioids like fentanyl come from drug cartels in Mexico. In November the U.S. Treasury Department issued sanctions against the La Nueva Familia Michoacana drug cartel from Mexico for smuggling illicit fentanyl across the United States. To weaken the cartels, states like California and Colorado have legalized marijuana. But instead of eliminating the black market, news outlets report the drug cartels have used legalization as an opportunity to expand their drug activities.

Nationwide, the opioid epidemic is raging, and international drug cartels are funding their criminal enterprises by selling marijuana, fentanyl, and other drugs in our communities. We need to take steps to protect families from the destruction that these dangerous drugs cause.



Marijuana Legalization Tied to Increased Alcohol Consumption

In November the peer-reviewed journal *JAMA Health Forum* published a study on increased alcohol consumption in states that legalized marijuana. The increase was largest among adults age 18–24. On the whole, states that legalized marijuana saw a 0.9% increase in alcohol use. Among young adults, the increase was 3.7%. The study determined that "increased alcohol use... may be an unintended consequence of recreational cannabis legalization." The findings are significant, because marijuana proponents have argued for years that marijuana isn't any more dangerous than alcohol, and that legalization gives people a safer alternative. Instead, it seems the opposite may be true: If states legalize marijuana, people may simply use more marijuana and more alcohol.

Lawmakers File Bills to Block TikTok, Require Pro-Abortion Companies to Offer Paid Maternity Leave

Between Thanksgiving and Christmas lawmakers pre-filed several pieces of legislation. Two bills filed early received attention from our team.

The first was H.B. 1006 by Rep. Aaron Pilkington (R – Knoxville). It would require an employer that covers abortions or travel expenses related to abortions to provide 16 weeks of paid maternity leave to employees in Arkansas as well. Since the U.S. Supreme Court reversed *Roe v. Wade* last June, corporations like Walmart have announced plans to pay for employees to have abortions. H.B. 1006's language probably isn't as thorough as a law of this kind needs to be, but it certainly seems like a step in the right direction.

The second is S.B. 4 by Sen. Gary Stubblefield (R – Branch) and Rep. Mary Bentley (R – Perryville). This bill prohibits state employees and state contractors from accessing the social media platform TikTok on a state-issued computer or electronic device. TikTok—which is the largest social media application on earth—is owned by the Chinese company ByteDance in Beijing, and cybersecurity experts are concerned that the Chinese Communist Party may be able to harvest data and manipulate the videos and information that TikTok's users see. S.B. 4 would not outlaw TikTok in Arkansas, but it would prevent government employees from downloading the app on devices they use for work.

Last fall Arkansas' Attorney General warned Arkansans about multicolored "rainbow fentanyl" designed to appeal to children. Fentanyl is a dangerous synthetic opioid that is cheap to manufacture, highly addictive, and lethal even in small amounts.

Family Council's Legislative Goals for 2023

When the legislature convenes on January 9th we are going to work for the passage of over 20 good laws and oppose laws that violate biblical standards. Here is more about why we need to take action and our plan.

Secure \$2 Million in Public Funds for Pregnancy Help Organizations. *Why?* Now that abortion is illegal in Arkansas, we need to work to make it irrelevant. The network of over 40 pregnancy centers across the state has been doing this work for years, but with abortion being illegal their work is more needed. *Our Plan:* In 2021 we worked to secure \$1 million in public funding for Arkansas pregnancy centers. This year we hope to double that amount.

We Must "Fix" Public Education Now. *Why?* Many of our public schools are teaching students that it is good for them to be gay or transgender. They are teaching our kids that most Americans are racists and that capitalism needs to be destroyed. Parents are kept in the dark about their child's moral struggles. Academic achievement continues to lag, and kids have to worry about shootings or assaults on campus. *Our Plan:* We're going to partner with lawmakers to pass a real school choice law that will empower parents to use public money to pay for their child's education at a public, private, or home school of their choice. The law recently passed in Arizona is a good model. In addition, we're going to work for the passage of legislation that will stop the teaching of critical race theory and pass a law to stop educators from indoctrinating students with the LGBT point of view.

Stop Public Libraries from Dispensing Pornography and Promoting Activities that are Harmful to Minors. *Why?* Too many of Arkansas' public libraries have become centers for drag queen shows, pornographic and obscene books, and other immoral material. *Our Plan:* We're partnering with lawmakers to pass laws to make librarians that distribute obscenity subject to penalties under Arkansas' obscenity laws. We're also looking into how to apply Arkansas' "harmful to minors" laws to those who use libraries for immoral drag queen shows and other activities.

Blunt the Impact of the Federal Respect for Marriage Act. *Why?* This bad law creates more opportunity for people of faith to be sued, and it implies that those with a biblical view of marriage are the same as racists. *Our Plan:* We need to strengthen our current Religious Freedom Restoration Law, strengthen our current medical rights of conscience law, protect faith-based adoption agencies that don't want to place children with same-sex couples, protect counselors from losing their license for helping homosexuals overcome same-sex attraction, and protect students from being denied a diploma for refusing to affirm the LGBT lifestyle.

Reduce Human Trafficking in Arkansas. *Why?* Anti-human trafficking organizations give Arkansas a grade of "F" when it comes to stopping human trafficking. *Our Plan:* Hotel owners and operators as well as those directly involved need to be held accountable under the human trafficking law. Patrons need to be prosecuted and victims need to be helped. We are working with lawmakers on this human life issue.

Stop Bad Tort Reform That Shields Human Traffickers and Bad Nursing Homes. *Why?* Nursing home owners want tort reform that will shield them from lawsuits when they are clearly guilty of abusing or neglecting a vulnerable person in one of their facilities. Their type of tort reform would also shield human traffickers who enslave women and girls in sex trafficking. *Our Plan:* Unethical nursing home owners need the threat of a lawsuit to motivate them to treat their residents with respect. Everyone involved in human trafficking needs to be held accountable both in criminal court and civil court. We oppose caps on non-economic damages as well as punitive damages, and we oppose limiting evidence or changing court rules to favor those who hurt others.

Stop Republicans from Weakening Our Pro-Life Laws by Adding Exceptions for Rape and Incest. *Why?* Rape and incest are horrible crimes. Some Arkansas Republicans believe the mothers of these unborn children conceived as a result of rape or incest should have the legal right to kill the child before it can be born. As horrible as rape or incest are, killing the child does not erase these awful deeds. Many experts say that an abortion only makes things worse in these cases. Our view has always been that how a person is conceived should have no bearing on whether they get to live or not. *Our Plan:* We will oppose any attempt to weaken our current abortion laws.

Stop Planned Parenthood and the Abortion Industry from Preying on Arkansas' Women and Girls. *Why?* Abortion is illegal but abortion counseling, advertising, and online abortion drugs have continued. Ads are telling young women that it is safe for them to go online and order abortion drugs for an at-home abortion without a doctor or even a nurse. *Our Plan:* We're going to partner with others to pass legislation to prevent organizations from aiding and abetting abortions, make abortion advertising illegal, and make it illegal to order abortion drugs online.



Right: In this file photo from April 8, 2021, Family Council President Jerry Cox testifies against two bad bills that would have weakened Arkansas' end-of-life laws and put nursing home residents and others at risk.

Join Our Rapid Response Network!

We can help you influence the legislative process this year. Family Council's Rapid Response Network is a team of more than 500 Arkansans who contact their lawmakers about legislation. When an important vote is about to take place at the capitol, we contact the Rapid Response Team, and we tell them how they can call or email their lawmakers.

Our Rapid Response Network has made a tremendous difference when it comes to passing good bills, defeating bad bills, and helping everyday Arkansans get involved in the legislative process. You can join our Rapid Response Network by calling our office at (501) 375-7000. **See the flier enclosed with this letter for additional information.**


YOU CAN HELP US IN 2023

This year as you consider all the many worthwhile organizations and causes that are out there, please remember us and the important work we do. I never want anyone to feel pressured into giving to our work. I know you will support us as you are able and as you feel led.

If you would like to support us financially, you can use the enclosed envelope to send a generous, tax-deductible gift today. You have my word that my team and I will do our best to use your gift wisely to promote, protect, and strengthen traditional family values in Arkansas.

There's no shortage of work for us to do this year. **Your friendship, your support, your kind words, and your prayers keep us in the fight every day. Thank you!** Please let me know if there is ever anything we can do for you.

Sincerely, *Thank you!!*



Jerry Cox, President

P.S. Between the Biden Administration pushing its agenda and moderate lawmakers looking for ways to distance themselves from traditional conservatives, we anticipate more "defensive" battles at the Arkansas Legislature this year. Look for updates on our work at the legislature Monday through Friday at FamilyCouncil.org and on Twitter and Facebook. We hope to have a lot of good news to share with you in the coming months!



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.
