



FAMILY  
COUNCIL

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**MARCH 2023  
UPDATE LETTER**

## *Dear Friends,*

In the spring of 1901 a 54 year old woman walked into a bar on 12th Street in downtown Kansas City, Missouri, wielding a hatchet. Over the next several minutes she smashed bottles of alcohol, driving the men outside. The woman's name was Carry Nation.

If you've studied the history of the temperance movement and Prohibition, then you've probably heard of Carry Nation. History books tend to treat her like some sort of radically uptight, anti-alcohol church lady. She usually gets portrayed as a crazy woman who shattered whiskey bottles and screamed Bible verses at henpecked husbands who just wanted to enjoy some peace and quiet at the tavern. Some accounts even claim that Nation stood more than six feet tall and was built like a football player. The Kansas History Museum in Topeka has some of Nation's personal effects on display, and the historians there have said that she probably wasn't that tall—although I'm sure she seemed intimidating when she walked into a tavern with a hatchet.

The truth about Carry Nation is much more complicated than people realize. Nation grew up in an era when women couldn't vote, did not always have access to education, and had very few career options. As a result, women like Carry Nation relied solely on their husbands to provide for them and their children. For them, having a husband who was an alcoholic was absolutely devastating.

Carry Nation's first husband was an alcoholic who could not support his family because of his excessive drinking. After his death, Nation eventually remarried and began ministering in prisons. She came to believe that alcohol played a role in the problems of many of the inmates she met. Within a few years, Carry Nation joined with other women in temperance unions that opposed alcohol.

Around 1900, Nation began throwing bricks at bars and taverns that operated illegally in different parts of Kansas. In 1901 she began smashing them with her trademark hatchet. But Carry Nation did not strictly rely on violence. She spoke publicly to crowds on streets. She also met with policymakers to plead her case about the damage from alcohol and alcoholism. Some historians say it was only when public discourse did not work that Carry Nation used her hatchet to get her point across. It is rather telling that the authorities of her day were very reluctant to prosecute her when she smashed a tavern.

At the time of her death, Carry Nation reportedly hoped to work for temperance in Arkansas as well as in Kansas and Missouri. To support herself and her work financially, Nation sold tiny, hatchet-shaped stick pins like a man or woman might have worn on a suit coat or a hat 100 years ago. I recently found one of Carry Nation's hatchet pins for sale on eBay. Just for fun, I bought it, and I started wearing it as a lapel pin on my jacket. It's a fun conversation piece when I go to the capitol.

**So is the point of this story that we should resort to violence to get what we want or reinstate Prohibition?** No—although alcohol still brings more pain than all other drugs combined. Here's why I wanted to tell "the rest of the story" about Carry Nation: People like to characterize her as a violent, Bible-thumping grandma who hated alcohol so they can dismiss her and what she believed. Carry Nation also was a victim of alcohol abuse, and her support for temperance helped lay the groundwork for women's suffrage and other good work that helped women and children. Understanding that makes it much more difficult to write her off.

In our current political climate, we could do a much better job working to understand the people we disagree with instead of simply writing them off as crazy or evil. After all, I shudder to think what liberal historians might someday write about me and the rest of us who are conservative and Christian. I hope you will keep reading this letter to understand what has been going on at the Arkansas Capitol lately—and how you can be part of what is happening there.



Executive Director Jerry Cox

## MY THOUGHTS: SCAMMER TRIES TO TRICK ELECTED OFFICIALS BY IMPERSONATING JERRY COX

On Valentine’s Day, a representative approached me out of the blue and said, “Hey, Jerry. Did you get an answer to your question?” I told him I wasn’t sure what he was asking about, so he clarified, “You know. My answer to the question you texted me earlier.” I politely told him I didn’t think I had texted him. Shortly after that, a young lady asked me about a text I had sent to a former legislator. Again, I said I did not think I had texted him. Then my friend Treasurer Mark Lowery told me he received a text from me asking for his help with something, but said he had responded that he was too busy to help me right now. We both laughed, and I told him I would keep that in mind next time I needed his help.

Eventually we pieced together what was going on. A stranger with a New York phone number was texting people at the capitol and signing the texts “Jerry Cox, President, Family Council.” In one of the text threads, the fake Jerry Cox asked a lawmaker for help getting gift cards for the members of the General Assembly. Once it became clear this was part of some sort of sophisticated scam, I filed a report with the Capitol Police so they could investigate. I doubt any of Arkansas’ lawmakers like me so much that they would buy 135 gift cards just because I texted them, but it doesn’t hurt to be careful. As of February 15, I haven’t heard of any more text messages, and nothing bad has come from the scam.

My identity has been stolen a few times—once by a guy who wanted financing for a couple of vehicles, and another time by a man who opened a bank account under my name. He even paid into my Social Security! Back about 15 years ago the Internal Revenue Service accidentally marked me as “deceased.” To file my tax return, I had to walk into the Federal Building in downtown Little Rock and prove to them that I was still alive. I’ve gotten emails from con artists pretending to be Nigerian princes or personal assistants for Nelson Mandela. But this was the first time a scammer has ever pretended to be me. If they knew how hard it was to be me at the legislature some days, they probably would have picked somebody else.

I guess it goes to show that just when you think you’ve seen it all, things can still surprise you.

## Good Legislation Filed as of February 15

**PASSED: H.B. 1098 (Pro-Life):** This good bill by Rep. Julie Mayberry (R – Hensley) and Sen. Missy Irvin (R – Mountain View) permits Safe Haven Baby Boxes at volunteer fire stations in Arkansas.

**S.B. 199 (Protecting Children):** This good bill by Sen. Gary Stubblefield (R – Branch) and Rep. Mary Bentley (R – Perryville) lets a child who undergoes a sex-change procedure sue the healthcare provider who performed the procedure if the child suffers any physical, psychological, or emotional injury as a result.

**S.B. 43 (Decency):** This good bill by Sen. Gary Stubblefield (R – Branch) and Rep. Mary Bentley (R – Perryville) prohibits adult performances on public property or in view of children. It also prohibits public funding of adult performances.

**H.B. 1156 (Privacy):** This good bill by Rep. Mary Bentley (R – Perryville) and Sen. Dan Sullivan (R – Jonesboro) addresses privacy in public school locker rooms, showers, restrooms, changing areas, and similar facilities by requiring public schools to designate these facilities for “male” or “female” use.

**S.B. 270 (Sexual Indecency):** This good bill by Sen. John Payton (R – Wilburn) and Rep. Cindy Crawford (R – Fort

Smith) clarifies that an adult commits sexual indecency if the adult exposes himself or herself in a public changing area to a child who is a member of the opposite sex. The bill also addresses adults entering or loitering in changing areas where a child of the opposite sex is present.

**S.B. 66 (Pornography):** This good bill by Sen. Tyler Dees (R – Siloam Springs) and Rep. Mindy McAlindon (R – Cen-

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Sen. Dan Sullivan and Rep. Mary Bentley present H.B. 1156 protecting student privacy. Family Council supports this good bill.

## Good Legislation Filed as of February 15 *(continued)*

terton) requires pornographic websites to use a government-issued ID or a commercially available age verification method to protect children from pornography.

**S.B. 81 (Obscenity):** This good bill by Sen. Dan Sullivan (R – Russellville) and Rep. Justin Gonzales (R – Okolona) prohibits giving or sending a child harmful sexual material that contains nudity or sexual activity. The bill also eliminates exemptions for libraries and schools in the state's obscenity statute, and outlines how people can object to inappropriate material in libraries.

**H.R. 1010 (Pro-Life):** This good resolution by Rep. Cindy Crawford (R – Fort Smith) recognizes the vital role of pregnancy help organizations in Arkansas.

**H.B. 1398 (Pro-Life):** This good bill by Rep. Les Eaves (R – Searcy) raises the state income tax credit for stillborn children from \$500 to \$1,500.

**S.B. 261 (Pro-Life):** This good bill by Sen. John Payton (R – Wilburn) and Rep. Delia Haak (R – Siloam Springs) lets a person claim an unborn child as a dependent for income tax credit purposes.

**H.B. 1006 (Abortion):** This good bill by Rep. Aaron Pilkington (R – Knoxville) would require an employer that covers abortions or travel expenses related to abortions to also provide 12 weeks of paid maternity leave to employees in Arkansas.

**H.B. 1148 (Family):** This good bill by Rep. DeAnn Vaught (R – Horatio) and Sen. Kim Hammer (R – Benton) provides an income tax credit of up to \$1,000 for money spent on diapers, baby formula, baby wipes, and prepackaged baby food.

**H.B. 1305 (Child Welfare):** This good bill by Rep. Delia Haak (R – Siloam Springs) protects child welfare by amending the “mature minor” doctrine in Arkansas law to clarify minors may consent to medical treatment for sexual assault; sexual, domestic, or physical abuse; or alcohol or substance abuse.

**H.R. 1021 (Home Schooling):** This good resolution by Reps. Cameron Cooper (R – Romance), Delia Haak (R – Siloam Springs), Wayne Long (R – Bradford), and Mindy McAlindon (R – Centerton) recognizes the fact that home schooling provides educational flexibility and benefits to more than 30,000 students in Arkansas.

**H.B. 1428 (Education):** This good bill by Rep. Cameron Cooper (R – Romance) and Sen. Matt McKee (R – Pearcy) ensures that public, private, and home schooled students have equal access to college and career readiness assessments like the ACT, SAT, or AP exams offered at public schools. The bill also says that test sites must accommodate students with disabilities according to the testing organization's recommendations.

**For the latest updates on good legislation at the Arkansas Capitol, go to [FamilyCouncil.org](http://FamilyCouncil.org) or call (501) 375-7000.**

## Bad Legislation Filed as of February 15

**PASSED: H.B. 1024 (Public Drinking):** This bill by Rep. David Ray (R – Maumelle) and Sen. Matt McKee (R – Pearcy) would let cities and towns that do not collect advertising and promotion taxes on hotels and restaurants establish entertainment districts where public drinking is legal. This would let communities authorize public drinking in entertainment districts even if the community does not cater

toward hospitality and tourism. That has the potential to expand public drinking in Arkansas.

**S.B. 138 (Abortion):** This bad bill by Sen. Missy Irvin (R – Mountain View) and Rep. Rebecca Burkes (R – Lowell) repeals abortion facility licensing requirements in state law. Even though abortion is prohibited except to save the life of the mother, the licensing provision is tied to eighteen other laws that deal with abortion in Arkansas. If a state or federal court or law once again makes abortion legal, S.B. 138 would leave abortion clinics mostly unregulated in Arkansas.

**H.J.R. 1008 (Abortion):** This bad amendment by Rep. Deborah Ferguson (D – West Memphis) would amend the Arkansas Constitution to recognize a fundamental right to abortion.

**H.B. 1301 (Abortion):** This bad bill by Rep. Nicole Clowney (D – Fayetteville) would legalize abortion in cases of “fetal abnormality incompatible with life.” The bill does not define what is or is not a “fetal abnormality.” It is not clear how a federal judge might interpret this language. Unborn children should not be aborted simply because a doctor thinks

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*Family Council staff member Luke McCoy testifies against H.B. 1024 in the Senate City, County, and Local Affairs Committee on January 24.*



## Bad Legislation Filed as of February 15 *(continued)*

they may be at risk for a fetal abnormality. Family Council strongly opposes this bill — and any other bill that would weaken our state’s pro-life laws.

**S.J.R. 13 (Marijuana):** This bad constitutional amendment by Sen. Joshua Bryant (R – Rogers) would “legalize marijuana for the purposes of craft or home growing and adult use by Arkansas residents of a certain age.”

**H.B. 1174 (Fetal Homicide and Wrongful Death):** This bill by Rep. Richard Womack (R – Arkadelphia) and Sen. Matt McKee (R – Percy) changes Arkansas’ fetal homicide law and wrongful death statute. Among other things, the bill makes it possible to prosecute or sue a woman for the

death of her unborn child. It is unclear how a court might interpret and enforce this bill in light of Arkansas’ laws prohibiting abortion.

**H.B. 1349 (Gambling):** This bad bill by Rep. David Ray (R – Maumelle) and Sen. Jim Dotson (R – Bentonville) legalizes paid “esports tournaments” in Arkansas, which could expand gambling in the state.

**H.B. 1162 (Alcohol):** This bad bill by Rep. David Ray (R – Maumelle) and Sen. Justin Boyd (R – Fort Smith) would expand alcohol sales via microbreweries.

**For the latest updates on bad legislation at the Arkansas Capitol, go to [FamilyCouncil.org](http://FamilyCouncil.org) or call (501) 375-7000.**

## Family Council Supports School Choice for Arkansas Families

On February 8, Gov. Sanders outlined some of her goals for education in Arkansas. Among other things, the Sanders Administration has pledged to expand school choice in Arkansas. Family Council has always believed families deserve options when it comes to education. Home schooling is a great example of how giving families options can help their children flourish. Family Council has supported home schooling for more than 25 years, because it empowers parents to give their son or their daughter the education that’s right for them. Home schooling in Arkansas has been incredibly successful as a result. Governor Sanders and members of the General Assembly intend to pass good school choice legislation this year. We want to work with our friends to pass legislation that will help Arkansas families without regulating nonpublic school students. A lot of families feel like public education has deteriorated over the years, and they don’t like the direction it’s head-

ing. For those families, school choice legislation could give them real alternatives that will help their children succeed. This is a critical issue for families, and our organization plans to address it.

*Gov. Sanders unveiled her legislative goals for education in Arkansas on February 8. Family Council supports giving families options in education without regulating nonpublic school students.*



## S.B. 138 Would Eliminate Abortion Facility Licensing Requirements in Arkansas Law

S.B. 138 by Sen. Missy Irvin (R – Mountain View) and Rep. Rebecca Burkes (R – Lowell) eliminates a provision in Arkansas law that says any facility that performs abortions must be licensed by the Arkansas Department of Health. The Arkansas Department of Health has said Arkansas should repeal the licensing requirement, because abortion is now prohibited except to save the life of the mother. However, Family Council has pointed out to the bill’s sponsors and public health officials that Arkansas’ abortion facility licens-

ing requirement is tied to other provisions related to abortion in state code. Repealing the licensing requirement could have unintended consequences for those good laws if abortion were once again made legal by a state or federal court decision or law. Pro-lifers have asked lawmakers to amend S.B. 138 or pass follow-up legislation that would help address unintended consequences that could arise from the bill. As of February 15, we are working with our pro-life friends to do that.

## Arkansas May Be Targeted With Pro-Abortion Amendment in 2024

Family Council anticipates two efforts to pass a pro-abortion constitutional amendment in Arkansas between now and 2024—one at the Arkansas Legislature, and the other via a statewide petition drive.

The effort to enshrine abortion in the Arkansas Constitution already is underway at the legislature. H.J.R. 1008 by Rep. Deborah Ferguson (D – West Memphis) would amend the Arkansas Constitution to recognize “a fundamental right to reproductive freedom.” According to the amendment, that right would include:

- Abortion
- Prenatal care
- Childbirth
- Postpartum care
- Contraception
- Sterilization
- Miscarriage management
- Infertility care

The amendment would prohibit the state from restricting abortion before the point of fetal viability, and it would limit the state’s ability to restrict abortion after fetal viability. This is a bad amendment. Family Council strongly opposes it, and we believe most lawmakers oppose it as well. It seems highly unlikely that the General Assembly will vote to place this constitutional amendment on the 2024 ballot.

However, we have reason to believe the abortion industry wants to use Arkansas’ petition process to place an abortion amendment on the ballot in 2024—just like the marijuana industry did in 2022. Late last year, pro-abortion groups released statements to the media listing Arkansas as one of the places where they would like to pass an abortion amendment. In January our team intercepted a political poll asking voters in Arkansas a series of questions about campaign messaging for an abortion amendment. For example, some of the poll questions were along the lines of, “Does the statement, ‘This amendment safeguards reproductive freedom’ make you more likely or less likely to vote for the amendment?” Our team estimates that the poll probably cost several thousand dollars. More than one national pro-life leader has told us that they have heard rumors about pro-abortion petition drives kicking off in Arkansas ahead of 2024 as well. If that happens, the next 18 months could be a critical time for the pro-life movement in Arkansas.



*LRPD arrest a pro-lifer for trespassing at Little Rock Family Planning Services on January 15, 2021.*

## Pro-Lifers Still Face Charges of Trespassing at Little Rock Abortion Facility in 2021

Six pro-lifers still face charges of misdemeanor trespassing at a Little Rock abortion facility in 2021. Eva Edl of South Carolina; Chet Gallagher of Tennessee; Dennis Green of Virginia; Calvin Zastrow of Michigan; Emily Nurnberg of Kansas; and Heather Iddoni of Michigan face misdemeanor criminal trespassing charges for allegedly blocking the entrance to Little Rock Family Planning Services—a surgical abortion facility in Little Rock—on January 15, 2021. Court records show the pro-lifers were convicted in February of 2022. Each was ordered to pay a \$350 fine. The case is still pending in Little Rock. Little Rock Family Planning Services closed down after the U.S. Supreme Court reversed *Roe v. Wade* last year.

In a separate case, five of the defendants also have been indicted by a federal grand jury in Tennessee for allegedly violating the Free Access to Clinic Entrances (FACE) Act. The FACE Act is a federal law generally intended to prevent people from obstructing abortion facility entrances. A federal indictment unsealed in October of last year alleges that Gallagher, Iddoni, Zastrow, Green, and Edl blocked a Tennessee abortion facility entrance in March of 2021. Iddoni also has been charged with violating the FACE Act in a separate federal case at an abortion facility in Washington, D.C. If convicted in federal court, they face up to 11 years in prison and fines of up to \$250,000. The federal case against them is currently set to go to trial next year.

## Lawsuit Over Arkansas’ Ten Commandments Monument Will Go to Trial This Year

In January U.S. District Judge Kristine Baker issued an order outlining the schedule for a lawsuit over Arkansas’ monument of the Ten Commandments. Judge Baker’s scheduling order indicated that a trial date in the case will be set sometime after August 31 of this year. This is the first major development in the case in many months.

In 2015 the Arkansas Legislature passed a measure authorizing a privately-funded monument of the Ten Commandments on the State Capitol Building grounds. Shortly after the monument was unveiled, atheist groups and the

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## Lawsuit Over Arkansas' Ten Commandments Monument Will Go to Trial This Year *(continued)*

Satanic Temple joined a lawsuit to have it removed. The case originally was set to go to trial in July of 2020, but the trial was postponed due to the COVID-19 pandemic. The lawsuit has remained in limbo ever since.

As we have said many times, Arkansas' monument is identical to a Ten Commandments monument that the U.S. Supreme Court ruled constitutional in Texas. There shouldn't be anything controversial about a monument honoring the significance of the Ten Commandments. 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.

save  
the date!

SPECIAL EVENT  
**AUGUST 3-4**

**Save the date!** If you enjoyed the Leadership World-view Summit in 2022 with Joseph Backholm, Dr. Owen Strachan, and Dr. David McDonald, you will want to save the date for a similar event that we will be hosting this year on August 3-4. Speakers along with more details about the event will be announced soon!

## HOW WOULD YOU LIKE TO PARTNER WITH US IN OUR WORK?


The legislative session is a very busy time for us. Our team is at the capitol, working on bills, talking to lawmakers, and telling families across the state what is happening. Friends like you are a vital part of what we do. Without you, we would have failed a long time ago. Thanks to you, we have been able to promote, protect, and strengthen traditional family values in Arkansas.

Here are three things you can do right now to partner with us in our work:

- 1. Pray for us.** We need people who will commit to pray for us regularly. Please pray that we will have wisdom and that we will be successful in what we do. To join our prayer network, email [erin@familycouncil.org](mailto:erin@familycouncil.org).
- 2. Join our Rapid Response Network.** Our Rapid Response Network is a group of more than 500 volunteers who call their elected officials when important issues come up. Please consider joining this important team, if you have not already done so.
- 3. Support Us Financially.** Your generous, tax-deductible support will give us the resources we need to finish the work that is ahead of us at the Arkansas Legislature.

Thank you for standing with us. **Your friendship and support mean more to us than you know.** Please call us if there is ever anything we can do for you.

Sincerely,



Jerry Cox, President

Thank you!!

P.S. The Arkansas Legislature is in full swing right now. **Don't miss the important information in this letter about measures that are in play at the capitol.** Things change quickly at the capitol, so be sure to check [FamilyCouncil.org](http://FamilyCouncil.org) or call our office at (501) 375-7000 to get the most recent news and information. Thank you for standing with us. Your friendship and support mean so much to us.