

update letter
APRIL 2024



Dear Friends,

There's a framed photograph on my office wall of me shaking hands with President George W. Bush at the foot of the steps of Air Force One. A few minutes earlier I had been chatting with the small greeting party assembled at the Little Rock Airport on April 25, 2001. My friends Governor Mike Huckabee and U.S. Senator Tim Hutchinson were there. There was State Representative Bob Keltner and a couple from Mountain Home who were both veterans of WWII.

As we walked outside to await the President's landing, on the tarmac was the presidential motorcade—lots of black limousines and Suburbans—one bristling with antennas—the kind you could run the world from.

Then Air Force One appeared through a haze. There was no gliding in for a landing. Instead, it just seemed to drop down out of the sky and land on the runway in front of us. As it taxied toward us, I was amazed at its size and elegance.

As the stairs were put in place, the President of the United States emerged in the doorway and made his way quickly down to us. There were the customary handshakes and hugs from our small greeting party. As the President approached me, my thoughts just seemed to freeze. What do you say to the most powerful person on earth—the leader of the Free World! All I could think of was, "Welcome to Little Rock." As he shook my hand the President smiled and thanked me. Then I told him briefly about my work with Dr. James Dobson to preserve traditional values. He kindly expressed gratitude and then moved on.

I'm sure President Bush doesn't remember me, but I cherish the moment enough that I have our picture on my wall. What does that say? Does it mean that I'm important? Of course not. Does it mean that George W. Bush is important? Yes, at least he was at the time and still is to some degree. But here is what struck me as I stood near the massive Air Force One and saw the long line of shining, black vehicles in the motorcade: It's the office, not the man—that's where the power is. There is great power and influence in the Office of the Presidency. The plane and the motorcade were just one expression of that power, and the President is a temporary holder of that immense power. Soon some other president would fly on that plane.

I suppose that picture of me and President Bush is on my wall because I like to remember the day I met a man who held more power than any other person on earth.

Now I look forward to the day when I meet the one who not only holds the power, but is the Power. One who, instead of holding the office, is the Office—Jesus Christ, the King of Kings and the Lord of Lords. On that great and final day, I long to hear the words, "Well done, good and faithful servant." On that day, I suppose neither I nor President Bush will need Air Force One to take us up.

In the meantime, God has lots of good work for us to do. Let me tell you more about it.

On that great and final day, I long to hear the words, "Well done, good and faithful servant."



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Executive Director Jerry Cox

My Thoughts: Do You Know Who is Behind the Arkansas Abortion Amendment?

By Jerry Cox, Executive Director

The group Arkansans for Limited Government is collecting petition signatures to place the Arkansas Abortion Amendment on the November ballot. If passed, the amendment would write abortion into the state constitution. If you read our monthly update letters and see the articles and videos we publish at FamilyCouncil.org, you probably know a lot about the abortion amendment by now. But what do you know about the organizations backing the measure?

Arkansans for Limited Government is a Ballot Question Committee formed in conjunction with the group For AR People to work for the passage of the abortion amendment. For AR People has been very active at the Arkansas Capitol in recent years.

If you look at For AR People's website and social media presence, you find that the group has:

- Promoted abortion
- Opposed school choice and educational freedom
- Opposed the removal of obscene materials from public libraries
- Supported critical race theory
- Opposed laws protecting religious freedom
- Favored affirmative action
- Supported sex-change procedures on minors
- Promoted drag queen story hours that target children
- Opposed legislation requiring people to use the restroom of their biological sex
- Claimed that Arkansas' monument in memory of unborn children killed in abortion is intended to "shame" women who have had abortions.

Writing abortion into the state constitution won't limit the size of our government or keep the government out of healthcare decisions. If anything, it just seems to be one part of this organization's larger goal to reshape Arkansas' public policy and culture.

Could the Abortion Amendment Lead to Taxpayer-Funded Abortion Up to Birth?

A proposed constitutional amendment could lead to taxpayer-funded abortion up to birth in Arkansas. The group Arkansans for Limited Government is collecting petition signatures to place the Arkansas Abortion Amendment on the November ballot. If passed, the amendment would write abortion into the state constitution, allowing thousands of abortions in Arkansas every year. It prevents the Arkansas Legislature from restricting abortion during the first five months of pregnancy. It also contains sweeping health exceptions for abortion throughout all nine months of pregnancy—even when a viable child could be delivered instead of aborted. The measure automatically nullifies all state laws that conflict with the amendment. That jeopardizes basic restrictions like parental consent and informed consent requirements for abortion, and it threatens to erase medical licensing requirements for abortionists.

The amendment also could pave the way for taxpayer-funded abortion in Arkansas. When abortion is recognized in a state constitution, it gives judges a tool they can use to mandate public funding for abortion. For example, in 1993 West Virginia's Supreme Court of Appeals ruled that restrictions on abortion funding violated the state's consti-

tution. Alaska's state supreme court issued a similar ruling in 2001, and so did Arizona's Supreme Court in 2002.

Activist judges have tried to force Arkansas to pay for abortions with taxpayer dollars. In 1988 voters passed Amendment 68 to the Arkansas Constitution prohibiting public funding of abortion except to save the mother's life. A Little Rock abortion facility sued to block the amendment. That case progressed through the judicial system, and in 1994 a federal court temporarily struck down Amendment 68, saying it violated the federal Hyde Amendment. The Hyde Amendment is a rider on the federal budget prohibiting public funding of abortions except in cases of rape or incest or to save the life of the mother.

Arkansas appealed the decision, and the case went all the way to the U.S. Supreme Court. On March 18, 1996, the U.S. Supreme Court ruled Arkansas' Amendment 68 should only be blocked insofar as it conflicted with the federal Hyde Amendment. Practically speaking, this means Arkansas has prevented public funding of abortion, with the exception of abortions paid for with Medicaid funds in specific circumstances permitted by the federal Hyde Amendment.

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Could the Abortion Amendment Lead to Taxpayer-Funded Abortion Up to Birth? *(continued)*

The Arkansas Abortion Amendment of 2024 changes Amendment 68 to the Arkansas Constitution, and it threatens to nullify all state laws that prohibit public funding of abortion. The abortion amendment would raise new questions about how to interpret Amendment 68, making Amendment 68 susceptible to new legal challenges. A court could strike down all or much of Amendment 68. Over the years, Arkansas' elected officials have taken different steps to prevent state funds and government contracts from going to abortionists and their affili-

ates. The Arkansas Abortion Amendment likely would nullify these laws, because they restrict abortion.

The Arkansas Abortion Amendment would give state and federal judges an opportunity to strike down Arkansas' laws against public funding of abortionists and reinterpret the Arkansas Constitution to permit public funding of abortion through all nine months of pregnancy. Arkansans have generally opposed taxpayer-funded abortion, but taxpayer-funded abortion up to birth could become a reality in Arkansas if this abortion amendment passes.

Family Council Joins Two Pro-Life Amicus Briefs Before U.S. Supreme Court

On February 26 Family Council joined more than 30 other individuals and organizations in an amicus brief filed with the U.S. Supreme Court in the case of *Moyle v. United States*. The amicus brief is part of a lawsuit over the Biden Administration's effort to reinterpret federal law and convert emergency rooms into abortion facilities via the federal Emergency Medical Treatment and Labor Act (EMTALA).

EMTALA is a decades old law signed by President Ronald Reagan. It is designed to ensure people are able to receive emergency care even if they are unable to pay. However, the Biden Administration is telling doctors and hospitals that EMTALA requires them to perform abortions to save the life or health of the mother—even if the abortion would be illegal under state law. Health exceptions for abortion are notoriously vague and can actually permit abortion on demand in many cases. That's why states like Arkansas avoid broad "health" exceptions for abortion. The amicus brief we joined argues that the federal government is unlawfully intruding into state law with these abortion exceptions.

The Biden Administration simply has no business trying to overrule state pro-life laws or turn emergency rooms into abortion facilities. If the Biden Administration wins in this case, it could try to push the same abortion agenda in other states—including Arkansas.

On February 29, Family Council also joined an amicus brief opposing dangerous abortion drugs like RU-486 before the U.S. Supreme Court. The brief is part of a lawsuit over the FDA's decision to approve the abortion drug mifepristone—also known as RU-486—and the federal government's decision to eliminate safety protocols and standards for the drug. Family Council is pleased to join with other pro-life groups in standing for life and pushing back against abortion in our country.

Arkansas Congressmen, A.G. File Briefs Against Pro-Abortion Overreach

On February 27, U.S. Congressman Bruce Westerman (AR-04) joined 120 other congressmen and U.S. senators in an amicus brief as part of a U.S. Supreme Court case against the Biden Administration's effort to make emergency rooms perform abortions under the federal Emergency Medical Treatment and Active Labor Act (EMTALA). Family Council joined a similar amicus brief in the case in February also.

EMTALA is designed to ensure people are able to receive emergency care even if they are unable to pay. The U.S. Department of Health and Human Services and the Centers for Medicare and Medicaid Services recently issued a letter and guidance reinterpreting EMTALA to require doctors and hospitals to perform abortions or transfer the woman to another facility for an abortion when necessary to protect the life or health of the mother—even if the abortion would be illegal under state law.

In a statement to Family Council, Congressman Westerman said,

"The Biden Administration's recent guidance on the Emergency Medical Treatment and Active Labor Act was not made with the best interests of mothers in mind, and rather is a political loophole to allow more abortions. The original intent of the EMTALA is to protect patients and protect the lives of mothers and children, the law itself has no mention of abortion. The issue of Idaho's Defense of Life Act is consistent with the original guidance of EMTALA, and I look forward to the Supreme Court reviewing this case and setting the record straight."

On February 29, U.S. Congressmen French Hill (AR-02) and Bruce Westerman (R-04) and Arkansas Attorney General Tim Griffin joined amicus briefs opposing dangerous

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Arkansas Congressmen, A.G. File Briefs Against Pro-Abortion Overreach *(continued)*

abortion drugs before the U.S. Supreme Court. The briefs oppose the FDA's decision to approve the abortion drug mifepristone, also known as RU-486, and the federal gov-

ernment's decision to eliminate safety protocols and standards for the drug. Family Council joined a separate amicus brief in the case in February as well.

Chemical abortion drugs like RU-486 carry significant risks, and the FDA has endangered the health and safety of women and unborn children. When the FDA first approved RU-486 in 2000, a woman seeking a drug-induced abortion was required to visit the doctor three times. By 2016 that number was reduced from three doctor visits to one doctor visit. In 2021, the FDA removed the in-person visit with a doctor altogether—making it possible to obtain RU-486 through the mail without a medical examination or an ultrasound.

Over the years our state legislators have enacted various laws prohibiting abortion and preventing abortion drugs from being delivered by mail in Arkansas. The FDA and the Biden Administration have taken steps at the federal level that threaten these good, pro-life laws. These U.S. Supreme Court cases push back against these pro-abortion policies. **It's good to see Arkansas' congressmen and attorney general joining with their colleagues to take a pro-life stand in federal court.**



Assistant Director David Cox

Alabama Supreme Court Ruling Says the Obvious: Human Embryos are Human Beings

By David Cox, Assistant Director

In February the Alabama Supreme Court ruled the state's Wrongful Death of a Minor Act applies to human embryos created through in vitro fertilization. Fertility clinics in America often perform *in vitro fertilization* or IVF. During IVF, human eggs are fertilized in a lab to create human embryos. Because IVF's failure rate is very high, doctors may create several embryos and insert them a few at a time into the uterus of the mother or a surrogate. Clinic workers may do this with as many as five embryos at once—and they may repeat the process as many times as necessary until they are successful. The lab may freeze any leftover embryos and place them in storage.

In the U.S. alone an estimated 1.5 million "extra" embryos created by IVF sit in cryogenic limbo at this moment. Unfortunately, the vast majority of these embryos will be killed. That's why the Alabama Supreme Court's February ruling was such a big deal.

The court's decision essentially said all embryos qualify as unborn children under the state's wrongful death laws—including "extrauterine" embryos who are stored in a "cryogenic nursery." **The media was quick to sensationalize the decision**, screaming that it threatened to all but end fertility treatment as we know it. But if recognizing the obvious truth that human embryos are human beings somehow jeopardizes the entire fertility industry, then there must be something deeply wrong with that industry.

IVF labs in America tend to operate as if human embryos are a factory product—something lab workers can create, freeze, and kill at will. But people aren't products. There are ethical fertility treatments out there—including ethical approaches to IVF. Some European countries have passed ethics laws regulating IVF, but the U.S. generally has not. Since February, the Alabama Legislature has taken steps to roll back their state's supreme court ruling. But this situation reminds us that even with the U.S. Supreme Court's decision to overturn *Roe v. Wade*, many unborn children are not treated like "persons" and do not have equal protection under the law. Pro-lifers still have a lot of work to do.



Stephanie Nichols, Chief Legal Counsel and Director of Family Council's Arkansas Justice Institute

Arkansas Libraries Continue to Push Sexually Explicit Materials on Kids

By Stephanie Nichols, Chief Legal Counsel and Director of Family Council's Arkansas Justice Institute

Public libraries and school libraries have been a source of contention in recent years. Parents in Arkansas—and throughout the nation—have discovered graphic sexual materials in the children's section of their local libraries.

It is important to note that progress has been made due to the dedicated efforts of parents,

good librarians, and other community members interested in protecting the innocence of children. However, there are still activists in local libraries who are intent on making sexual material available to children. For example, the picture next to this column is from a display in the children's section of the Craighead County Library last December. The book *It's Perfectly Normal* contains graphic pictures of same-sex and opposite-sex couples having sex, descriptions of anal sex, pictures of children masturbating, and more than 30 pictures of naked adults of various ages. It also promotes abortion as a healthy choice.

This book had been redesignated for shelving on a special shelf for parents and teachers rather than for circulation in the normal children's shelving. However, that did not keep staff members from going out of their way to still expose children browsing the shelves to graphic sexual materials. A concerned parent noticed this book on display to kids and brought it to the attention of the children's library director. Thankfully, she removed it from the display, but how many kids may have been exposed before the book was reshelved?

It's a reminder of an eye-opening quote promoted on the Citizens Defending the Craighead County Library Facebook page by those fighting for a right to expose kids to explicit materials:

"It was about kids learning that other kinds of sex existed, or that sex existed at all."

It should always be a parent's right and choice about when to teach their kids about sex and what specific materials to use. When did strangers begin to think they are the ones who have this right?

The bottom line is that children's sections of local libraries are still not safe places for children in Arkansas, and we have much work to do to restore libraries as places where children can safely explore the world of books in their own

designated areas. Libraries truly are community treasures, and good libraries and good librarians are a blessing. That's why Christians and others interested in safeguarding the innocence of children should not give up on our libraries.

Family Council is grateful to Sen. Dan Sullivan for sponsoring Act 372 of 2023 to help deal with these important issues. This good law prohibits giving or sending a child sexual material that is harmful to minors. It also removes exemptions for libraries in the state's obscenity laws. Some Arkansas libraries have sued to block enforcement of Act 372, and Judge Timothy Brooks has put some sections of the law on a temporary hold pending a final ruling. However, other helpful parts of the law remain in effect. For example, a challenge process for obscene materials in school media centers and libraries remains in effect. A provision that gives parents access to their children's library records also remains in effect. Amazingly, parents did not have this right of access under state law before the passage of Act 372. Importantly, the section that removes language from state law that shielded school and library personnel from prosecution for disseminating obscene materials to kids also remains in effect. I think we can all agree that no one deserves a legal exemption for knowingly providing obscene materials to kids.

If you're interested in learning more about book content found in Arkansas libraries and the effort to restore the children's sections of libraries as beautiful places for children to read and learn, you may want to join the Facebook page, "Safe Library Books for Kids-Arkansas," for more information or contact Family Council at (501) 375-7000.



Right: The book *It's Perfectly Normal* sits on display in the children's section of the Craighead County Public Library in Jonesboro. The book contains inappropriate illustrations depicting nudity and sexual activity.

Group Gets Greenlight to Circulate Petitions for Marijuana Amendment in Arkansas

In February the Arkansas Attorney General's office certified a popular name and ballot title for an amendment expanding marijuana legalization in Arkansas. The group backing the measure now has until July 5 to collect 90,704 petition signatures to place the amendment on the ballot. The amendment would change Arkansas' medical marijuana law to enable recreational marijuana statewide. No longer would marijuana users need to suffer from a specific medical condition.

The amendment would drastically expand Arkansas' laws to make it possible for people to grow and use marijuana at home. This would make it easier for people to use marijuana recreationally. The amendment also would openly legalize marijuana in Arkansas if federal laws against marijuana are repealed.

The amendment would drastically expand Arkansas' laws to make it possible for people to grow and use marijuana at home. It also would openly legalize marijuana in Arkansas if federal laws against marijuana are repealed.

Arkansas voters rejected marijuana legalization at the ballot box in 2022. The campaign against the 2022 marijuana amendment had only a fraction of the money that the marijuana industry had, but it was defeated by a broad coalition of churches, business groups, elected officials, and citizens who knew that marijuana would be bad for Arkansas. We anticipate similar opposition to this latest marijuana amendment as well.



Calling All Ministers: Join Our New Church Ambassador Network Initiative

*By Dr. Jim Lagrone, D. Min,
Church Ambassador Network Director*

As a pastor, I care. I care about people, and I care about my state, and I care about my country—just like you. As a pastor, I also want to make a difference in the lives I touch and communities where I live—just like you. As a pastor, I want to find a way to connect with other Christian leaders and even the elected leaders of our communities and state to make a difference. As an American and an Arkansan, I would like to find an approach which will help us work together and build bridges to each other instead of further division.

Jerry Cox and Family Council have added a new approach that can make a difference right where you live. It is called the Church Ambassador Network. The Church Ambassador Network is active in twenty states and is a proven resource.

Church Ambassador is a process that is *nonpartisan*. Notice I did not say *bipartisan*. Church Ambassador is not a conservative political organization. It is a nonpartisan ministry. This is a network which builds relationships between church leaders and our elected leaders regardless of their political leanings. And then we will help those making decisions that affect our lives, to see the church as a vital resource.

The church is a powerful ministering body of believers. There are churches across our state who are feeding and clothing others. Churches conduct job training and recovery ministries from all types of addiction. Churches are involved in fighting human trafficking and other areas which touch the lives of church members and communities. Churches are working to support the most vulnerable of our society. I believe churches really want to help, and be seen as a resource—not a political party.

How do you and your church become a part of the Church Ambassador Network? It's easy. Just call the Family Council office at (501) 375-7000 or visit ARDayofPrayer.com to sign up. We will put you on our list and provide you with additional information about how you and your church can be a part of this amazing ministry opportunity.

Dr. Jim Lagrone is the former president of the Arkansas Baptist State Convention. He has been in ministry for over 40 years. In addition to his work with Family Council, Dr. Lagrone is still currently a pastor and has worked in faith engagement in several states. He also worked for several years as an independent contractor with the Billy Graham Evangelistic Association. He is leading the Church Ambassador Network for Family Council.



Dr. Jim Lagrone, D. Min, Church Ambassador Network Director

CALLING ALL

Christians!

REMEMBER TO PRAY
FOR ARKANSAS ON
SUNDAY, APRIL 28!

Our state faces many challenges right now. The Bible says that when evil comes in like a flood, the Lord will lift up a standard against it. That's why we are joining with ministers and churches across the state on Sunday, April 28, as a special Day of Prayer for Arkansas. Visit ARDayofPrayer.com or email Dr. Jim Lagrone at jim@familycouncil.org to learn more about how you and your church can be part of this amazing ministry opportunity.



We've Met These Goals and Kept These Promises So Far. Help Us Keep Going!

Last September Family Council made a list of goals and promises for the coming year. Here is where we stand on our top priorities:

Grow Our Team So We Can Do Much More Good: Check. Since January, we have hired Stephanie Nichols to be Director and Chief Legal Counsel of the Arkansas Justice Institute. Stephanie will help us draft legislation, review bills at the capitol, and work with attorneys at the national level to help Arkansas lead the way in passing laws that are biblically sound. Dr. Jim Lagrone, D. Min, is the Director of our new Church Ambassador Network. I have known Jim for a long time. He will serve as a church liaison to work with pastors and churches to help them address the moral issues of our day. He will also help pastors and churches minister to lawmakers and other elected officials. And Kailey Hogan is our new assistant bookkeeper and office manager. Kailey will help us manage the growing administrative workload we face at our office. She also is helping us expand our social media presence.

Help Voters Reshape Arkansas Politics by Distributing Thousands of Copies of the Arkansas Voter's Guide: Check. Last month we finished printing and shipping thousands of Arkansas Voter's Guides for the March 5 primaries. We even mailed a little less than 10,000 copies of the guide to likely voters living in different legislative districts around the state. This broadened the reach of the Arkansas Voter's Guide this year.

Stand Up for 35,000 Arkansas Homeschoolers: Check. We are actively engaged in the rulemaking process for the LEARNS Act. We want to make sure the Department of Education treats home schoolers fairly and equitably. Our home school division, the Education Alliance, has been hard at work providing tools and resources for families every day.

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We've Met These Goals and Kept These Promises So Far. Help Us Keep Going! *(continued)*

Save Unborn Children by Providing Millions in Funding for Arkansas Pregnancy Centers: Check. Charisse Dean on our staff has worked diligently with the AR Future Foundation to help pregnancy resource centers receive public and private grant funding. As of last month, the State of Arkansas has distributed half a million to pregnancy help organizations—and it will distribute another half million between now and June 30. We are preparing to return to the Arkansas Legislature in a few days to lobby for additional funding for pregnancy resource centers in the state's 2024–2025 fiscal year. This funding will provide pro-life resources for women and families with unplanned pregnancies.

Continue Informing, Educating, Equipping, and Activating People Across Arkansas: Check. We are informing and educating more people this year than last year. We send letters like this one to between 6,000 and 7,000 families and churches every month. We release new articles and videos Monday through Thursday on our website at FamilyCouncil.org. Each Friday we send a news email to about 6,000 individuals and churches. We recently introduced mass texting, which lets us text our friends all over Arkansas. We are actively growing our grassroots network of friends and supporters across the state.

Stand Ready to Fight Marijuana at the Ballot Box: Check. The marijuana industry is back at work in Arkansas, circulating petitions to place their amendment on the ballot. We are ready to fight back. Arkansas' medical marijuana growers and sellers have lobbied relentlessly for recreational marijuana in the state. In 2022 we helped successfully defeat recreational marijuana at the ballot box. Last year, we helped pass a law making Delta-8, an addictive marijuana derivative, illegal. There is so much money to be made in the marijuana industry that they won't give up. We will have to keep fighting their efforts.

Stand Ready to Fight Abortion at the Ballot Box: Check. Compared to other states, it is easy to circulate petitions and place a proposed constitutional amendment on the ballot in Arkansas. Right now Arkansans for Limited Government is circulating petitions to place their abortion amendment on the ballot—but pro-lifers are fighting back. Family Council Action Committee has launched a Decline to Sign campaign. You can join the Decline to Sign pledge and download free flyers and materials at FamilyCouncilActionCommittee.com.

We need your support. 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.

We need people who will commit to pray for us regularly. We also need friends who will support us financially. Your generous, tax-deductible support will give us the resources we need to finish the work that is ahead of us. Thank you for your prayers, your kind words, your friendship, and your support. Please let me know if there's ever anything we can do for you.

Sincerely,

Jerry Cox, President

Thank you!!

P.S. We just launched our Church Ambassador Network. We recently finished distributing thousands of copies of the Arkansas Voter's Guide. We are working with other pro-life organizations to stop the Arkansas Abortion Amendment. Your generous financial support lets us do all of this and much more that I don't have room to tell you about right now.



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.
