



**FAMILY  
COUNCIL**

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**SEPTEMBER 2019  
UPDATE LETTER**

**DEAR FRIENDS,**

Thomas Edison is credited with saying most people miss opportunity, because it shows up wearing overalls and looks like hard work. I think that's certainly true.

Family Council is a lot more like a pair of overalls than a three-piece suit. I'm just glad I didn't miss this wonderful opportunity to do an incredibly hard work that has made a difference in the lives of so many people across our state.

Years ago, we couldn't afford a mailing service to prepare mailings for Family Council. Instead, Doris and I gathered our boys around the kitchen table where we stuffed and sealed thousands of letters each month. Sometimes, well after dark, I'd bag all those letters in mail bags, throw them into the back of my green 1974 Chevy truck, and tear out down Interstate-630 to the post office, trying to get them on the last mail truck out of Little Rock.

One night I was driving along in the dark with that load of Family Council update letters, and I remember thinking about the "Civil War of Values" and wondering if this is how to win it. I thought to myself, *By the grace of God, I'm going to prevail—not because I'm smarter or more gifted, but because, I'm simply going to out-work everyone else.* I thought, *I just don't believe Planned Parenthood and the abortion doctors care deeply enough about their agenda to work this hard, live on a modest income, deal with so much opposition, and do all that it takes to prevail.*

The Bible says that in Christ we are more than conquerors. Believe me, there's a lot to conquer when you take on the forces of darkness. It's not glamorous, but it's worth it. It's worth it because we are living out the biblical mandate to love our neighbor. Having a caring heart rather than an angry or judgmental attitude makes all the difference. Love negates anger, self-righteousness, and being judgmental. The Bible says that love endures all things—and it does! It makes us longsuffering. The Bible says that love never fails. People ask me how I've been able to do this work for all these years without being discouraged. Well, I do get discouraged, but that doesn't stop me. More importantly, it's the calling and grace of God that keeps me energized for the work. Central to this calling is that I do this work because I deeply care. I care about the people of Arkansas—every single one. I love my state, and I'm proud to call it my home. And I believe the United States is a nation worth saving.

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Blue collar—overalls—calloused hands—sweat—hard work—to me, they all spell opportunity. Opportunity to do what others don't get to do. Like saving the unborn, preserving religious liberty, fighting marijuana and other harmful drugs, defending home schooling, helping people be salt and light, speaking God's truth on TV, and being ready to rise up and fight when immorality comes flooding in. This is Family Council! This is who you have helped us become and who we will continue to be as you continue to stand with us. Thank you! Thank you! Thank you for enabling us to stand in the gap right here in Arkansas.

Now let me tell you about the opportunities before us that are dressed in overalls and that most certainly will be hard work, but worth every bit of the effort.

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Family Council  
President Jerry Cox

## MY THOUGHTS: HERE'S FAMILY COUNCIL ACTION COMMITTEE'S 2019 LEGISLATIVE REPORT CARD

One of the most common questions people ask me when I travel the state is, "How did my legislator vote?" It's so easy for politicians to act like Eddie Haskell from "Leave It to Beaver," behaving one way in public and another way in private. Arkansans want to know if their elected officials are keeping their campaign promises and remaining true to their values when they come to Little Rock.

There are probably as many different ways to grade a legislator as there are state legislators. However, I think their voting record is a good place to start. Enclosed with this letter is Family Council Action Committee's report card for the 2019 Arkansas General Assembly. It offers

a snapshot of how lawmakers voted on key social, moral, or economic legislation related to the right to life, education, family, marijuana, religious liberty, and other issues.

Lawmakers earned letter grades ranging from A–F based on how they voted on all the bills. Family Council Action Committee gives Statesman Awards to lawmakers who earn an A. This report card is not an endorsement of any candidate or political party. It does not measure any lawmakers' integrity, commitment to their faith, work ethic, or rapport with Family Council Action Committee. It is only a report on how each lawmaker voted, but I hope it will give you a window into where your state representative and state senator stood on important pieces of legislation.

### Federal Judge Blocks Three of Arkansas' Pro-Life Laws

In August, federal U.S. District Judge Kristine Baker issued an order blocking three pro-life laws the Arkansas Legislature passed earlier this year. The laws are Act 493, prohibiting abortion after the eighteenth week of pregnancy, except in cases of rape, incest, or to save the life of the mother; Act 619, prohibiting abortion of an unborn baby solely because the child has Down Syndrome; and Act 700, requiring abortion doctors to be board certified or board eligible OB/GYNs.

Somehow Judge Baker has presided over nearly every abortion-related lawsuit in the state during the past several years, and she generally has given the ACLU and Planned Parenthood everything they have ever asked for. If these lawsuits play out the way others have, here's what we can expect: Judge Baker's bad ruling will be appealed to the Eighth Circuit Court of Appeals, where a three-judge panel will review the case. Those judges likely will uphold some or all of the laws. Their decision could be appealed to the U.S. Supreme Court, who may or may not take the case. The higher court is liable to kick the case back down to Judge Baker's court for further review—and then it could go back to the Eighth Circuit for a final ruling. Either way, unless the U.S. Supreme Court does something drastic—like overturn *Roe v. Wade*—these good laws could be tied up in court until 2021 or 2022.

So why bother passing good laws if the courts are going to hamstring them? Well, first, laws don't stay tied up in court forever. Eventually the court has to rule, and I believe we can win these lawsuits. I would much rather see these good laws enforced now, but even if we have to wait a couple of years, that's still a pro-life victory.

Second, every pro-life court case is good for us—even the ones where we lose. When the Eighth Circuit struck down our ban on partial-birth abortions many years ago, a lot of people said that was the end. Instead, pro-life lawyers looked at the Eighth Circuit's reasons for striking the law, and they crafted a better partial-birth abortion ban that could withstand a legal challenge. Arkansas passed that improved ban on partial-birth abortions in 2009, and it is still on the books today. Lawsuits like these actually help us craft stronger laws that the ACLU and Planned Parenthood cannot stop in the long run.

Finally, the courts are shifting in a pro-life direction. This year, even the ultra-liberal Ninth Circuit Court of Appeals has handed down some surprisingly conservative rulings. Liberals cannot count on the federal courts like they used to. U.S. District Judge Kristine Baker is an Obama Administration appointee, but a lot of judges farther up the chain of command are Bush and Trump appointees, and they are much more conservative in their rulings than she is. Losing in the short run in her court doesn't guarantee a loss at the higher court later on. In fact, it could mean just the opposite. When Arkansas wins in the Eighth Circuit Court of Appeals, we get to help make pro-life case law for the rest of the country. That is something truly spectacular.



Right: U.S. District Judge Kristine Baker blocked the state from enforcing three good, pro-life laws in July.

## Little Rock Planned Parenthood Opens New Abortion Facility

In July Planned Parenthood of the Great Plains announced plans to open a new abortion facility in west Little Rock. The facility reportedly will be housed in a former foot and ankle clinic in the 1500 block of Aldersgate Road. It's sadly ironic that the nation's largest abortion provider is placing an abortion facility on a road named after the place in England where the Rev. John Wesley had a profound religious awakening before he started the Methodist movement in the 18th century.

If all you had to go on were the headlines, you would think business is booming at the nation's largest abortion provider. Here's the truth: Despite the fact that Planned Parenthood is unveiling a new facility in Little Rock, abortion in Arkansas has been in decline for years. In 2018, Arkansas' abortion numbers hit a 42-year low, and public opinion polling shows most Arkansans believe abortion ought to be completely illegal or legal only under certain circumstances. We are steadily winning the fight to protect innocent human life in Arkansas. That's what matters.



*Above: Planned Parenthood reportedly is opening a new abortion facility inside a former foot and ankle clinic in Little Rock.*

## Fayetteville Planned Parenthood Stops Doing Abortions—For Now

Earlier this year we learned Planned Parenthood's facility in Fayetteville, Arkansas, would be changing locations after its landlord reportedly decided not to renew the organization's lease. As a result, in July Planned Parenthood suspended its

**It's literally the difference between life and death for those children.**

abortion operation in Fayetteville until it could find a new location. As of this writing in mid-August, Planned Parenthood apparently still is not performing abortions in northwest Arkansas—and that's a very good thing.

In 2017, Planned Parenthood aborted nearly two children every day at its facilities in Little Rock and Fayetteville. We estimate that 70% of the state's chemical abortions are carried out by doctors working for Planned Parenthood. Dozens of unborn children may be born this year simply because Planned Parenthood had to stop performing abortions for a few weeks while it moved from one facility to another. That may not seem like much, but it's literally the difference between life and death for those children.



## Springdale Passes Resolution to Become Arkansas' First Pro-Life City

On August 13 the Springdale City Council in Northwest Arkansas overwhelmingly passed a resolution affirming its commitment to life and designating itself as a pro-life city. The resolution references several laws the legislature has passed in recent years that restrict abortion and says that the right to life is fundamental to all other inalienable rights. The resolution comes as Planned Parenthood searches for a new location in Northwest Arkansas. Rumors had circulated that the abortion giant might open a facility in Springdale or another community in the area. Springdale's pro-life resolution cannot keep Planned Parenthood out of town, but it does send a strong message about where the city and its leaders stand when it comes to abortion.

## One in Five Arkansans Believes Abortion Ought to Be Completely Illegal

In August the Public Religion Research Institute released a nationwide poll on abortion. The survey found our state is one of the most pro-life in the country, with 21% of Arkansans saying abortion ought to be completely illegal—meaning it should not be allowed even in cases of rape, incest, or to save the life of the mother. Last October the University of Arkansas released a poll showing that 17% of Arkansans believe abortion ought to be completely illegal, and another 58% believe it ought to be legal only under certain circumstances. Time and again public opinion polling shows Arkansans—and Americans as a whole—are strongly pro-life.

## Did This Razor Ad Cost Gillette \$8 Billion?

Corporations are notorious for spending a lot on advertising, but one ad campaign at razor company Gillette has cost the brand ten figures. Earlier this year the company unveiled a heavy-handed ad aimed at “toxic masculinity” followed by a transgender Father’s Day commercial about a man teaching his “son”—a biological female who identifies as a boy—to shave. The first ad offended a lot of ordinary men who did not appreciate feeling like Gillette lumped them in the same camp as Harvey Weinstein and others accused of sexual abuse. The second ad deeply troubled millions of Americans who, along with many pediatricians and psychologists, believe it’s wrong to encourage a child to disagree with his or her biological sex.

With two ads, Gillette managed to alienate its customers and prompt boycotts from conservatives. As a result, the company lost nearly \$8 billion over the spring and summer. In an effort to reassure investors, Gillette’s leaders reportedly blamed their financial trouble on the fact that more men have facial hair these days and are buying fewer razors. So was there a sudden beard boom this past summer that caused Gillette’s stock prices to tank? Or is it simply that most Americans don’t subscribe to Gillette’s radical views about gender identity?



Assistant Executive Director  
David Cox

## POLICY POINTS: NO, ARKANSAS DOES NOT NEED A “HATE CRIMES” LAW

By David Cox

On August 3, a lone gunman in El Paso, Texas, ruthlessly murdered nearly two dozen people and injured many more at a Walmart Supercenter. As of this writing, the FBI is treating the case as an act of domestic terrorism and a possible hate crime. Just three days after the shooting, Arkansas Governor Asa Hutchinson told

reporters, “It is important that we have legislation passed that is often called ‘hate crimes legislation’ that would say that if you’re going to target an individual because of their religion, or because of their race or ethnicity, then you’re going to have an enhanced penalty... Arkansas needs to pass this legislation to send the strongest signal possible that we’re not going to tolerate that type of hate.” Gov. Hutchinson went on to say that the hate crimes legislation ought to include protections for sexual-orientation.

“Hate crimes” proposals have existed for more than 20 years. They vary from state-to-state, but they generally enhance penalties for crimes committed because of the victim’s race, ethnicity, country of origin, religion, sexual-orientation, or gender identity. On the surface, hate crimes legislation sounds reasonable. After all, we ought to do everything we can to protect innocent people from violent crime. But here’s the problem: Hate crimes laws don’t prevent hate crimes or any other type of crime.

Most Republicans and many Democrats often point out that mass murderers don’t obey gun control laws and do not respect gun-free zones. If that’s true, then everyone ought to realize that mass murderers also don’t respect laws prohibiting hate crimes. If white supremacists who

mow down innocent people with AK-47s aren’t deterred by laws against capital murder, do we really think they’re going to be phased by laws that enhance the penalty for capital murder because of the victim’s race? Do we actually think tragedies like the one that happened in El Paso could be prevented if only we had harsher penalties for gunmen who massacre families shopping at Walmart?

Texas—where the El Paso shooting occurred—has a hate crimes law like the one Governor Hutchinson is touting. So does Pennsylvania, where a gunman murdered eleven people at a synagogue in 2018. According to the FBI, the ten jurisdictions with the highest number of hate crimes in 2017—California, New York, Washington, New Jersey, Michigan, Massachusetts, Ohio, Kentucky, Arizona, and the District of Columbia—all have hate crimes laws. Arkansas, meanwhile, has some of the fewest hate crimes of any state in America.

These laws aren’t just ineffective. Hate crimes laws and similar legislation also carry unintended consequences. In other states, laws that carve out special protections for people based on sexual-orientation have been used by LGBT activists as a hammer against people of faith who, for religious reasons, don’t want to cater certain weddings, photograph certain events, or allow men to use women’s facilities. Passage of a state hate crimes law could give activists in Fayetteville, Eureka Springs, and others cities all they need to enforce city ordinances that hurt people of faith who don’t want to embrace the LGBT agenda.

I’m sure the governor’s heart is in the right place, but passing hate crimes legislation in Arkansas won’t protect anybody from violent criminals. It will just create new problems that Arkansas doesn’t need.

## U of A Expands Alcohol at Razorback Games to Improve “the Fan Experience”

This summer the University of Arkansas announced it would expand alcohol sales at the Donald W. Reynolds Razorback Stadium. Alcohol has been available in the stadium’s private suites and club areas since 2014, but the new policy will expand alcohol sales to fans at the stadium. The shift comes on the heels of changes at the SEC that make it easier for schools to sell alcohol at ballgames. In an official statement, the school’s athletic director said that expanded alcohol sales are a way of “furthering the fan experience” at Razorback games.

Personally, I think a better way to “further the fan experience” would be to rebuild Arkansas’ football program and occasionally give Nick Saban a run for his money. After all, the University of Alabama says that it has no intention of expanding alcohol sales in Tuscaloosa the way Arkansas is. Apparently, the Crimson Tide fan experience is more about winning ballgames than having alcohol in the stands. To date, only six out of 14 SEC schools plan to allow drinking in the stands: LSU, Arkansas, Missouri, Texas A&M, Vanderbilt, and Tennessee.

Sarcasm aside, this is just another example of irresponsible expansion of alcohol in Arkansas. A lot of Razorback fans drink at tailgating parties before ballgames. Under this new policy, football fans who are already drunk when they

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enter the stadium will continue drinking during the game, and some of them will go bar-hopping on Dickson Street after the game is over. Fans who don’t drink will still have to share the stands—and the roads—with fans who do. Is that really the type of “fan experience” that we want folks to have? Do we really think no harm can possibly come from that much drinking?

## Little Rock, El Dorado City Councils Authorize Public Drinking

In July, the Little Rock and El Dorado city councils both voted to legalize public drinking in their so-called “entertainment districts.” Their new city ordinances will let people drink alcohol outdoors in certain parts of town.

Earlier this year the Arkansas Legislature narrowly passed Act 812 by Sen. Trent Garner (R – El Dorado) and Rep. Sonia Barker (R – Smackover). The act lets cities create “entertainment districts” where alcohol can be carried and consumed publicly on streets and sidewalks. Little Rock’s public drinking district runs through four city blocks in the River Market District downtown. Under the new public drinking ordinance, people will be able to drink beer, wine, and mixed drinks—like cocktails, margaritas, and other drinks made with hard liquor—from 5:00 P.M. to midnight on Fridays, 8:00 A.M. to midnight on Saturdays, and 10:00 A.M. to 7:00 P.M. on Sundays. Additional public drinking will be allowed on holidays.

The editors at the *Arkansas Democrat-Gazette* got it right when they wrote, “Come on, folks. Somebody drinking at 8 a.m. needs an intervention.” This new city ordinance is going to put public drinking smack dab in the part of town that is home to Little Rock’s main public library, children’s museum, presidential library, farmer’s market, and pedestrian trails.

In the 1990s, the neighborhoods in and around the River Market were some of the most dangerous in Little Rock. A lot of people were robbed, injured, shot, and killed in that part of town in those days. However, in the past 20 years the city has worked hard to clean up the River Market district and make it safer. Legalizing public drinking in downtown Little Rock is a huge step backward—not forward.



## Let Us Help You Fight Public Drinking In Your Community!

We’ve put together a free toolkit for Arkansans interested in fighting public drinking in their communities. It includes talking points you can use when discussing the issue with your city council; news articles about problems public drinking and entertainment districts have caused in other states; answers to common questions about public drinking; and other helpful information. You can request a free copy of our toolkit by calling our office at (501) 375-7000.

## Request Your Free Toolkit About Hate Crimes Legislation

We’ve put together a free toolkit about hate crimes legislation—and why passing it would be bad for Arkansas. The toolkit includes a policy brief, questions and answers about hate crimes, and an explanation of how hate crimes laws could be used to hurt Christians in our state. Call our office at (501) 375-7000 to request this free toolkit today.

## Pregnancy Resource Center in Morrilton Saves At Least Three Children from Abortion

In August we received a statement from Abundant Life Pregnancy Resource Center in Morrilton, Arkansas, saying the organization has saved at least three babies' lives from abortion so far this year. Pregnancy resource centers like Abundant Life give women real options besides abortion. These centers offer women everything from maternity clothes to

baby diapers and adoption referrals to parenting resources. And somehow, they usually provide these resources free of charge using a very small staff or group of volunteers. Pregnancy resource centers are some of the unsung heroes in the fight against abortion—which is why we like to sing about them every time we get an opportunity.

### WE NEED YOUR HELP

We've had a busy summer at Family Council, and things are about to get even busier. We are continuing to oppose public drinking in Arkansas. We will oppose any effort to pass hate crimes legislation in our state—just as we have for 25 years. We're gearing up for our 2020 voter's guides that will show where candidates stand on issues that all of us care about. We're going to continue releasing videos and blog posts on our website regularly, and we're going to continue fighting abortion, affirming religious liberty, promoting and protecting home schooling, and defending traditional family values in Arkansas.

You are a vital part of everything I just listed. That's why I hope you will partner with us by sending a generous, tax-deductible donation today, if you are able. Your gift will help us continue working to be salt and light in a very dark world and make Arkansas a better place to live, work, and raise a family. Of the 5,000 or so churches and families receiving this letter, about half never have donated to Family Council. If everyone will do even a little to help support our work, we will be able to do a lot of good.

Thank you for standing with us. **It means so much to have good friends like you.** I deeply appreciate your kind words, your financial support, and your prayers. Please let us know if there is anything we can do for you.

Sincerely,



Jerry Cox, President

*Thank you!!*

P.S. Planned Parenthood has temporarily stopped doing abortions in Fayetteville this summer, and a pregnancy resource center in Morrilton has saved at least three unborn children so far this year. We are gearing up for the 2020 elections, and we have released free toolkits Arkansans can use to oppose public drinking and hate crimes legislation in their communities. When you support Family Council, you're able to turn your gift into lives saved from abortion and good legislation passed into law. That's why I hope you will send us a generous, tax-deductible donation today, if you are able. Thank you for standing with us.

