



Testimony  
of  
Nona Ellington

I believe that the Unborn Child Protection Act, Senate Bill 6, should become a law, because of my own personal testimony, which many other women across the state of Arkansas and the nation have experienced.

At the age of 15 years old, in the 10th grade in high school, I was a victim of date rape, as my boyfriend coerced me into skipping school with him, using marijuana, then forced me into sex. After he raped me, he left me in the room, where I didn't know where I was, then I heard laughing outside the door, which was him and his cousin laughing at what just happened with me there in his cousin's room.

After a few weeks when we broke up, I realized I was pregnant. I went to Planned Parenthood for a pregnancy test where they told me I "needed to get an abortion, since I was so young and still in high school." No other options were given to me. My friends at school told me abortion was no big deal, people do it all the time. I told my now ex boyfriend I was pregnant and he denied being the father, which deepened my shame.

I told my sister over the phone and my mother overheard. My sister convinced my Mom to take me for an abortion, since she knew where to take me.

The abortion experience was horrific, the most painful thing I had ever been through, especially since I had never even gone to a gynecologist before. The anesthesia was only partial, so I could feel my insides being ripped out and hear the vacuum noise.

As a result of this one abortion at age 15, I was never able to have children, but instead had 5 miscarriages, with 3 of them being tubal pregnancies requiring emergency surgery and very near death experiences. In 2014, I also suffered with breast cancer, as a result of this abortion. Research has proven abortion can lead to breast cancer. I also had the genetic testing to prove that I am not a carrier of the breast cancer gene.

I am a survivor of abortion, breast cancer and all the other emotional trauma that resulted from the abortion, including depression, anxiety disorder and attempted suicide. Please pass this abortion ban in Arkansas to spare other women, children and families from the trauma of abortion.

Thank you for the honor of sharing my personal story.

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Nona is Founder and President of Eagles Restoration Ministries (<http://www.eaglesrestoration.com>) and a member of Operation Outcry, a ministry of The Justice Foundation.





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**For Immediate Release:**

Tuesday, January 12, 2021

**For more information:**

Rose Mimms 501-663-4237

The Arkansas Unborn Child Protection Act (SB6) is sponsored by Senator Jason Rapert and Representative Mary Bentley for passage in the 93<sup>rd</sup> session of the Arkansas General Assembly.

Arkansas Right to Life believes that all unborn children should be protected unless there is an immediate physical threat to the mother's life. Arkansas Right to Life supports Senate Bill 6, The Arkansas Unborn Child Protection Act, as filed on November 18, 2020.

We urge for the full protection of unborn children in our state.





## SENATOR JASON RAPERT

ARKANSAS STATE SENATE

500 Woodlane, Ave., State Capitol, Little Rock, AR 72201

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# FOR IMMEDIATE RELEASE

FROM: Sen. Jason Rapert  
501-336-0918  
senator.jason.rapert@gmail.com

DATE: February 10, 2021

### **ARKANSAS ANNOUNCES OVERWHELMING SUPPORT FOR SENATE BILL SB6 - THE ARKANSAS UNBORN CHILD PROTECTION ACT TO ABOLISH ABORTION AND PROTECT ALL HUMAN LIFE**

It is time for the United States Supreme Court to redress and correct the grave injustice and the crime against humanity which is being perpetuated by its decisions in *Roe v. Wade*, *Doe v. Bolton*, and *Planned Parenthood v. Casey*. With nearly 62,000,000 little innocent baby girls and boys killed through abortion in our nation since 1973 – it is past time for our nation to abolish abortion.

In addition to all the House and Senate co-sponsors, I wish to thank the following organizations and entities that have announced their full support of SB6 publicly:

Arkansas Right to Life  
Arkansas Family Council  
The Catholic Church of Arkansas  
Arkansas Faith & Ethics Council  
Arkansas Prayer Caucus Network  
Justice Foundation  
National Association of Christian Lawmakers  
An American Speaks  
Students For Life Action  
Faith 2 Action  
Gov. Mike Huckabee, HuckPAC  
Life Legal Defense Foundation

The United States Supreme Court committed a grave injustice and a crime against humanity in the *Dred Scott* decision by denying personhood to a class of human beings, African-Americans; The United States Supreme Court also committed a grave injustice and a crime

against humanity by upholding the “separate but equal” doctrine in *Plessy v. Ferguson*, which withdrew legal protection from a class of human beings who were persons under the United States Constitution, African-Americans. A crime against humanity occurs when a government withdraws legal protection from a class of human beings, resulting in severe deprivation of their rights, up to and including death; In *Brown v. Board of Education*, the United States Supreme Court corrected its own grave injustice and crime against humanity created in *Plessy v. Ferguson* by overruling and abolishing the fifty-eight-year-old “separate but equal” doctrine, thus giving equal legal rights to African Americans; Under the doctrine of *stare decisis*, the three abortion cases mentioned in SB6 meet the test for when a case should be overturned by the United States Supreme Court because of significant changes in facts or laws, including without limitation the following:

- (A) The cases have not been accepted by scholars, judges, and the American people, as witnessed to by the fact that these cases are still the most intensely controversial cases in American history and at the present time;
- (B) New scientific advances have demonstrated since 1973 that life begins at the moment of conception and that the child in a woman's womb is a human being;
- (C) Scientific evidence and personal testimonies document the massive harm that abortion causes to women;
- (D) The laws in all fifty (50) states have now changed through “Safe Haven” laws to eliminate all burden of child care from women who do not want to care for a child – Arkansas has Safe Haven laws in place as well as the Safe Haven Baby Box law as well; and
- (E) Public attitudes favoring adoption have created a culture of adoption in the United States, with many families waiting long periods of time to adopt newborn infants; Before the United States Supreme Court decision of *Roe v. Wade*, Arkansas had already enacted prohibitions on abortions and authorized the refusal to perform, participate, consent or submit to an abortion.

In the Arkansas Constitution, Amendment 68, states that the policy of Arkansas is to protect the life of every unborn child from conception until birth and that public funds shall not be used to pay for any abortion except to save the life of the mother. There are no exceptions stated for rape or incest in that amendment or in the “Trigger Bill” signed into law in Arkansas in 2019 upon which this current bill is based and Governor Asa Hutchinson signed into law. SB149, now ACT 180 of 2019, passed the Arkansas legislature with 101 out of 135 legislators voting YES – 74.8% majority. 29 out of 35 Senators voted for the bill and 72 out of 100 Representatives voted for the bill. This is the exact same bill – but today we begin the process of flipping the trigger and ending nearly all abortions in Arkansas.

Arkansas also passed the Arkansas Human Heartbeat Protection Act, in 2013, which shows the will of the Arkansas people to save the lives of unborn children and Arkansas has continued to pass additional legislation in 2015, 2017, and 2019 that further shows the will of the Arkansas people to save the lives of unborn children.

Some have stated that now is not the right time to directly challenge *Roe v. Wade*. I share with you now an excerpt from my friend Janet Porter, the inspiration behind the original Heartbeat Bill legislation, she wrote:

“Until the Arkansas Heartbeat Law in 2013, Americans had been regulating abortion for 48 years with a failed incremental strategy which left us with a body count of more than 62 million



Americans and another million children who continue to be brutally killed each year. Arkansas boldly led the charge to change that. It is time for Arkansas to lead again.

“Right to Life” leaders like Jim Bopp fought the Heartbeat Bills in Ohio and Tennessee, testifying against the most protective bills to ever pass in those states. Speaking against a challenge to *Roe*, Bopp told the *Wall Street Journal*, “The last thing we want to trigger is reaffirming *Roe v. Wade*...That would be a disaster of epic proportions.” For a million children this year what’s happening *right now* is a “disaster of epic proportions.”

**National Right to Life founder Dr. Jack Willke** testified for the Ohio Heartbeat Bill in both the House and Senate hearings stating the incremental approach “didn't get us us far enough fast enough.” He was right. He said:

**“Whether *Roe* is affirmed or not, the results are the same: Unborn babies are killed for any reason virtually any time until their birth.** We must not wait any longer to protect babies in our state.”

The voices of 62,000,000 dead innocent babies cry out NOW IS THE RIGHT TIME.

Since the 1973 decision of *Roe v. Wade*, approximately sixty million sixty-nine thousand nine hundred seventy-one (60,069,971) abortions have ended the lives of unborn children. The Department of Health reports that two thousand nine hundred sixty-three (2,963) abortions took place in Arkansas during 2019, including abortions performed on out-of-state residents

The State of Arkansas urgently pleads with the United States Supreme Court to do the right thing, as they did in one of their greatest cases, *Brown v. Board of Education*, which overturned a fifty-eight year-old precedent of the United States, and reverse, cancel, overturn, and annul *Roe v. Wade*, *Doe v. Bolton*, and *Planned Parenthood v. Casey*.

Americans United for Life just announced recently that Arkansas is the most Pro-Life state in the nation. We are leaders in the protection of unborn children and we are united to take this bold stand to stop this crime against humanity. We invite all Arkansas citizens to contact your legislators and Gov. Asa Hutchinson and encourage them to take a stand for life, oppose this crime against humanity and support abolishing nearly all abortions in the state of Arkansas.

###

# ARKANSAS AMENDMENT 68

The people of Arkansas overwhelmingly approved Amendment 68 in 1988.

SB6 uses the exact same standard.

## AMENDMENT 68.

### Sec. 1. Public funding.

No public funds will be used to pay for any abortion, except to save the mother's life.

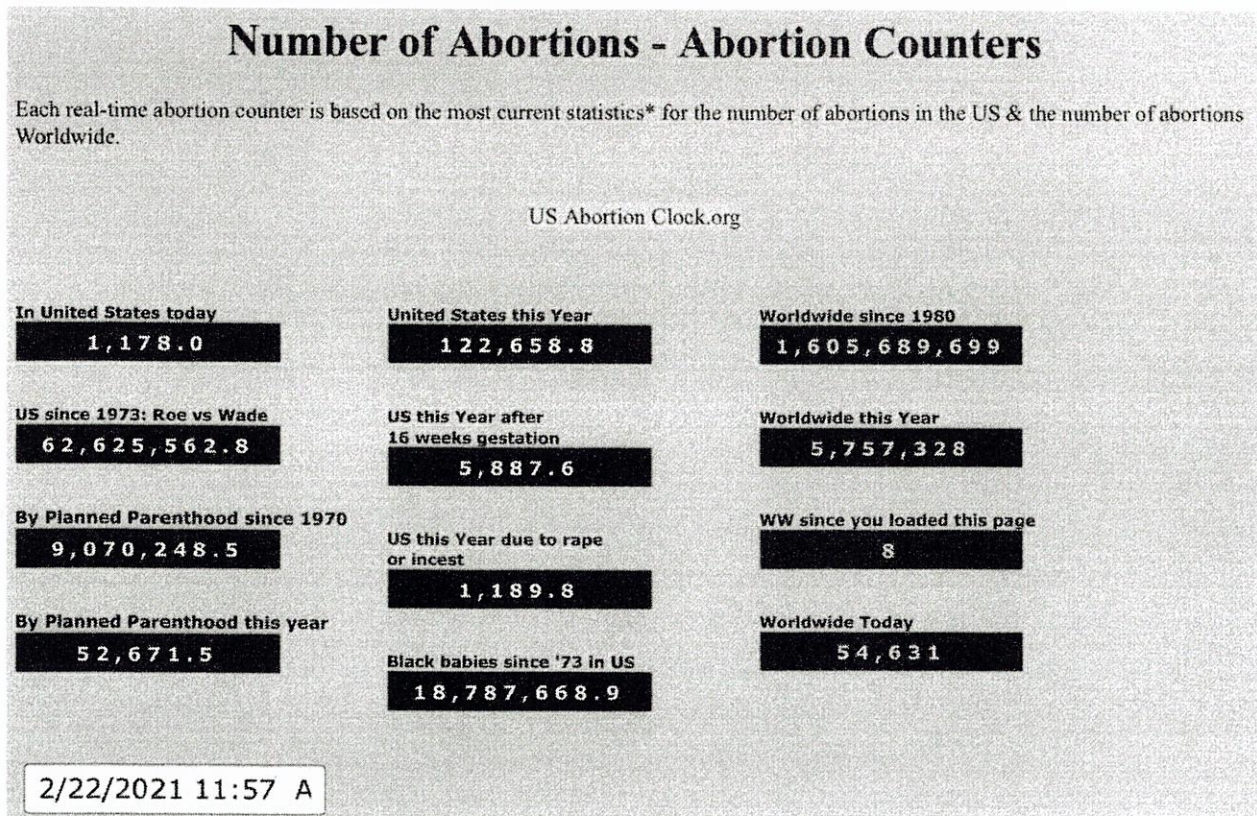
### Sec. 2. Public policy.

The policy of Arkansas is to protect the life of every unborn child from conception until birth, to the extent permitted by the Federal Constitution.

### Sec. 3. Effect of amendment.

This amendment will not affect contraceptives or require an appropriation of public funds.

## ESTIMATED NUMBER OF ABORTIONS AS OF 02/22/2021





**Governor Mike Huckabee, via email**

On Tue, Feb 9, 2021 at 7:37 PM Mike Huckabee <xxxxxxx> wrote:

To members of the AR General Assembly:

I'm deeply grateful that you are moving forward with SB6 sponsored by Senator Rapert which will be landmark legislation to protect all human life in the state of Arkansas.

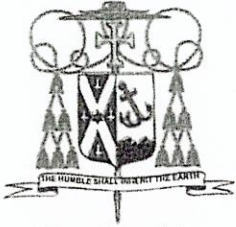
Every person has value and worth. There is no human that is dispensable or disposable. This bill, if it becomes law, will make ready for the day when the scourge of abortion is no more in a civilized society. Abortion has destroyed the lives of both the child and the birth mother with a callous disregard of the consequences by those who have made fortunes by pushing the "business" of terminating pregnancies.

It would be wonderful if every single legislator would vote for the dignity due every life and vote for SB6.

Gratefully,

Mike Huckabee, Governor 1996-2007

Founder, HuckPAC



Office of the Bishop

## DIOCESE OF LITTLE ROCK

2500 North Tyler Street • P.O. Box 7565 • Little Rock, Arkansas 72217 • (501) 664-0340 Fax (501) 664-6304

February 9, 2021

To the members of the state legislature of Arkansas and the people of the State of Arkansas,

This is to indicate the support of the Catholic Church of Arkansas for Senate Bill 6: the Arkansas Unborn Child Protection Act. As Bishop of the Catholic Diocese of Little Rock, which encompasses the entire state of Arkansas, I can tell you that the 150,000 Catholics in our state are united in our opposition to abortion and consistently support efforts in crisis pregnancy centers throughout the state to assist women facing an unplanned pregnancy. All life is sacred, from the first moment of conception to natural death, but nowhere is it more vulnerable than in the womb—and nowhere is it more needful of our protection. Every abortion leaves one dead and one wounded, so by prohibiting abortion in Arkansas, we will not only save the lives of babies, we will also prevent the unnecessary wounding of their mothers.

Therefore, I hereby call on the Arkansas legislature to pass S.B. 6: The Arkansas Unborn Child Protection Act.

Sincerely in Christ,

+Anthony B. Taylor

Bishop of the Diocese of Little Rock





Testimony  
of  
Nona Ellington

I believe that the Arkansas Abortion Ban bill, Senate Bill 6, should become a law, because of my own personal testimony, which many other women across the state of Arkansas and the nation have experienced.

At the age of 15 years old, in the 10th grade in high school, I was a victim of date rape, as my boyfriend coerced me into skipping school with him, using marijuana, then forced me into sex. After he raped me, he left me in the room, where I didn't know where I was, then I heard laughing outside the door, which was him and his cousin laughing at what just happened with me there in his cousin's room.

After a few weeks when we broke up, I realized I was pregnant. I went to Planned Parenthood for a pregnancy test where they told me I "needed to get an abortion, since I was so young and still in high school." No other options were given to me. My friends at school told me abortion was no big deal, people do it all the time. I told my now ex boyfriend I was pregnant and he denied being the father, which deepened my shame.

I told my sister over the phone and my mother overheard. My sister convinced my Mom to take me for an abortion, since she knew where to take me.

The abortion experience was horrific, the most painful thing I had ever been through, especially since I had never even gone to a gynecologist before. The anesthesia was only partial, so I could feel my insides being ripped out and hear the vacuum noise.

As a result of this one abortion at age 15, I was never able to have children, but instead had 5 miscarriages, with 3 of them being tubal pregnancies requiring emergency surgery and very near death experiences. In 2014, I also suffered with breast cancer, as a result of this abortion. Research has proven abortion can lead to breast cancer. I also had the genetic testing to prove that I am not a carrier of the breast cancer gene.

I am a survivor of abortion, breast cancer and all the other emotional trauma that resulted from the abortion, including depression, anxiety disorder and attempted suicide. Please pass this abortion ban in Arkansas to spare other women, children and families from the trauma of abortion.

Thank you for the honor of sharing my personal story.

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Nona is Founder and President of Eagles Restoration Ministries (<http://www.eaglesrestoration.com>) and a member of Operation Outcry, a ministry of The Justice Foundation.





**TO THE HONORABLE MEMBERS OF THE ARKANSAS LEGISLATURE:**

My name is Allan Parker. I am a former Professor of Law. I am licensed to practice law and currently do so before The United States Supreme Court. I am also the President of The Justice Foundation, a non-profit 501(c)3 public interest litigation foundation. A more complete bio is attached to my testimony. I represent thousands of women hurt by abortion and everything I know about how abortion hurts women comes from women. I will provide you with their testimony as well.

Having reviewed SB6 by Senator Rapert, I am of the opinion SB6 is an excellent vehicle for improving the health and safety of women in Arkansas and moving towards a more just and humane society. Since Arkansas already has a Safe Haven law, as does every other state in the nation, no woman in Arkansas would have to take care of an unwanted child if the bill was passed. On the other hand, Senator Rapert's SB6 is an excellent vehicle for challenging the Supreme Court's current view on *Roe v. Wade*, *Doe v. Bolton*, and *Planned Parenthood v. Casey*.

As you know, *Roe v. Wade* has never been uniformly accepted by the American people. In fact, it is the subject of "severe criticism", which is one reason for overturning Supreme Court precedent. SB6 is based on The Moral Outcry Petition. There are already 350,000 signers of The Moral Outcry Petition calling Abortion a Crime Against Humanity, which it is. A Crime Against Humanity occurs when the government withdraws legal protection from a class of human beings, resulting in severe deprivation of rights, including death.

Abortion obviously results in loss of "**infant life**" as even the Supreme Court has acknowledged in *Gonzales v. Carhart*, 550 U.S. 124 (2007). The Court in that case also admitted that abortion hurts women. The Court acknowledged that "some women come to regret aborting the infant life she once created and sustained". "Whether to have an abortion requires a difficult and painful moral decision" and is "fraught with emotional consequence." The Court also noted that "severe depression and loss of esteem can follow" an abortion. *Ibid*.

Thus, Arkansas has the chance to lead the nation in using *stare decisis*, the law of judicial precedent, which all of the members of the Supreme Court have sworn to follow, to lead to the reversal of *Roe*, *Doe* and *Casey*. The Supreme Court has overturned its prior opinions over two hundred times, including even in what Justice Kavanaugh calls its single most important decision, *Brown v. Board of Education*, which overturned a 58 year old precedent allowing segregation which millions of American's had unjustly relied upon. The Court overturned a 1972 opinion just last term.



Now under the principles set forth in "The Law of Judicial Precedent" co-authored by Justice Kavanaugh and Gorsuch, *et.al*, with a forward by Supreme Court Justice Stephen Breyer, there is a clear pathway for reversing *Roe*.

In short, Arkansas can stop killing "**infant life**", instead it already provides a government safety net to help women through the Arkansas Safe Haven law. Finally, there are one to two million people waiting to adopt newborn children in America. [https://www.americanadoptions.com/pregnant/waiting\\_adoptive\\_families](https://www.americanadoptions.com/pregnant/waiting_adoptive_families). There will be no burden of foster care for children for the State of Arkansas. It is a win-win for everyone in America, including the women who might otherwise choose abortion today.

I would like to provide to you 4,661 legally admissible written sworn testimonies of Women Hurt By Abortion. The first 108 are from Arkansas. See <https://www.dropbox.com/sh/8lksxqweaer4g0u/AAC3l3beB4p7co5cbvMrSrxKa?dl=0>.

These testimonies from around the nation also document the terrible pain of abortion:

<https://www.dropbox.com/sh/t0i6esr58vwy2df/AAC8IVWfkKPITs0zVKkI78yZa?dl=0>

Also, here is a link to the Task Force Report of South Dakota which studied the issue carefully: <http://www.dakotavoice.com/Docs/South%20Dakota%20Abortion%20Task%20Force%20Report.pdf>

Judge Edith Jones of the 5th Circuit Court of Appeals has said the Supreme Court should reevaluate *Roe v. Wade*. See *McCorvey v. Hill*, 385 F. 3d 846 (5<sup>th</sup> Cir. 2004) (cert. denied). In *Wayne Stenehjem, et al v. MKB Management Corp, et al*, 795 F. 3d 768 (8<sup>th</sup> Cir. 2015) (cert. denied) the 8<sup>th</sup> Circuit Court of Appeals unanimously said abortion should be reevaluated. Now, Arkansas can help that occur.

Advancing Life, Liberty and Justice in Him,

Allan E. Parker  
President  
The Justice Foundation  
[aparker@txjf.org](mailto:aparker@txjf.org)  
[www.thejusticefoundation.org](http://www.thejusticefoundation.org)  
210-614-7157

**LIFE**   
**OUTREACH INTERNATIONAL**  
J A M E S R O B I S O N

P.O. Box 982000  
Ft. Worth, TX 76182

March 1, 2021

RE: James Robison: The Baby a Doctor Refused to Abort

Dear Members of the Arkansas Legislature & Gov. Hutchinson:

I believe every life is precious. I can't imagine anyone not treasuring and appreciating every life from conception to the grave. I am writing today in support of SB6 and encourage lawmakers to take a stand for innocent lives.

Let me share my story. My mother had a tough childhood. She lost one parent when she was 9 and the other when she was 11. She married very young and was divorced after not too many years. She had been single for many years and was working as a home-health, hospice-type nurse caring for an elderly man in Houston. The alcoholic son of that man raped my mother, and she conceived. She had never had a child and had been told she was unable to get pregnant. Yet, now at age 40, she found herself pregnant through a forced relationship.

Because of the circumstances causing the pregnancy, and because she was not married and without a steady source of income, she sought an abortion. For whatever reason, the doctor she went to refused to do it. We might ask, "Why?" Since I am the subject of the discussion, I have to wonder, *Did he see potential in that mother's womb, or the promise and amazing possibilities for any child?* I don't know.

When she went back to the place where she was caring for the elderly man, she went out on the porch, prayed and said she heard God say, "Have the baby and the baby will bring joy to the world!" Assuming that the baby would surely be a girl, she named the baby "Joy." When the baby was born, the doctor said, "Lady, you have a little baby boy." She said, "No, I have a little girl, and her name is Joy." He said, "Well, you can call that baby anything you want to, but you've got a boy!" After becoming a friend of Johnny Cash many years later, I laughed when he sang the song, "A Boy Named Sue" and thought, *Well, I'm sure glad my mother chose a boy's name.* She named me James.

Because of the challenges she faced, she placed an ad in the Houston newspaper and asked for someone to come and get her little baby boy, someone who would care for him. As I understand it, she asked for a Christian couple. A pastor and his wife in Pasadena, Texas, a suburb of Houston, responded and took the little baby home. They were told they could adopt him, but the little boy named James did not get adopted because my birth mother refused to sign the papers.



It was confusing to me as a 5-year-old when my mother came and took me away. A rough journey followed, but ultimately I went back to the pastor's home at age 15 and came to know Christ. My life was transformed in that relationship, and miraculously God called a fairly shy boy to preach, and my, how He has blessed. Literally millions of people attended my 600 citywide crusades. I did one in virtually every population center in Arkansas and throughout most of the United States. I went on television in 1968 and have been on for 50 years. This year I will have been preaching 60 years.

I am blessed to have been married to Betty for 58 years, and she is a treasure. Because of God's love, the two of us have been putting God's arms around people from the time we married. We have fed millions of hungry children all over the world, primarily in Africa; drilled close to 7,000 fresh water wells; rescued the trafficked; and put arms of love around overlooked people around the world. We point them to Christ and encourage them to build their homes and marriages on a solid foundation. God definitely had a plan for an unexpected, unplanned baby boy, and it has been an amazing journey.

Betty and I have three children. One of them went to be with Jesus when she was 40, leaving three teenagers who love Jesus. We have 11 grandchildren, and very soon, they will all be married. It's awesome to see how they love their spouses. By summer, we will have 11 great grandchildren, so that gives us three children and 22 grandchildren, and millions of people have found a better way of life because an unexpected child was allowed to be born.

I think this is a very serious choice when crisis pregnancies like my mother's arise, but I do believe that every one should be challenged to consider the promise and potential possible in the life of every baby allowed to be born.

Sincerely,

A handwritten signature in cursive script that reads "James Robison".

James Robison  
Founder and President  
LIFE Outreach International



February 10, 2021

To the Senate & House Public Health Committees, the AR General Assembly, & Gov. Asa Hutchinson:

As the architect of the original Heartbeat Bill, I am writing to urge your strong support for SB6, the Arkansas Unborn Child Protection Act sponsored by Senator Jason Rapert. Arkansas led the way by passing the nation's first Heartbeat Law in 2013, now introduced in 29 states, and passed in ten--with South Carolina about to become the *eleventh* state to keep hearts beating. Arkansas led the way and the nation followed.

Until the Arkansas Heartbeat Law in 2013, Americans had been regulating abortion for 48 years with a failed incremental strategy which left us with a body count of more than 62 million Americans and another million children who continue to be brutally killed each year. Arkansas boldly led the charge to change that. It is time for Arkansas to lead again.

“Right to Life” leaders like Jim Bopp fought the Heartbeat Bills in Ohio and Tennessee, testifying against the most protective bills to ever pass in those states. Speaking against a challenge to *Roe*, Bopp told the *Wall Street Journal*, “The last thing we want to trigger is reaffirming *Roe v. Wade*...That would be a disaster of epic proportions.” For a million children this year what’s happening *right now* is a “disaster of epic proportions.”

**National Right to Life founder Dr. Jack Willke** testified for the Ohio Heartbeat Bill in both the House and Senate hearings stating the incremental approach “didn't get us us far enough fast enough.” He was right. He said:

**“Whether *Roe* is affirmed or not, the results are the same: Unborn babies are killed for any reason virtually any time until their birth. We must not wait any longer to protect babies in our state.”**

The idea of waiting is not new. Martin Luther King, Jr. encountered it, stating:

“For years now I have heard the word 'Wait!' It rings in the ear



of every Negro with piercing familiarity. This 'Wait' has almost always meant 'Never.' We must come to see, with one of our distinguished jurists, that “justice too long delayed is justice denied.”

As Constitutional Law Professor David Forte, the co-drafter of the original Heartbeat Bill, testified, “Courts never change their minds unless they are invited to.” Former Justice Antonin Scalia encouraged people to do just that. The late Justice Scalia said:

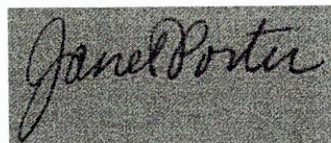
“You want a right to abortion? There’s nothing in the Constitution about that. But that doesn’t mean you cannot prohibit it. Persuade your fellow citizens it’s a good idea and pass a law. That’s what democracy is all about. It’s not about nine superannuated judges who have been there too long, imposing these demands on society.”

We must remember the oath you took was to the Constitution, not to abortion on demand. It is *Roe v. Wade* that is unconstitutional, not SB6. But for abortion to end, *Roe must* be challenged. With President Trump's appointments of three justices—including Amy Coney Barrett to the U.S. Supreme Court—we have never been in a better position to do so. We can no longer follow the lethal advice to never challenge *Roe* and wait and hope for abortion-on-demand to somehow be magically overturned. As Professor Forte stated, “Courts never change their minds unless they are invited to.” It is time to issue that invitation.

A decade ago, when we introduced the Ohio Heartbeat Bill in February of 2011, I was told it was “impossible.” But I have learned what was once “impossible” is now inevitable. Because of your leadership, Heartbeat Laws have now passed in Arkansas, North Dakota (2013), Iowa (2018), Kentucky, Mississippi, Georgia, Ohio, Missouri, Louisiana (2019), Tennessee (2020), and very soon in South Carolina, with Alabama granting full protection to children in the womb.

Arkansas led the way in 2013. It is now time for Arkansas to lead the way to the end of abortion. Lead again and the nation will follow *again*.

We are standing with you,

A rectangular area containing a handwritten signature in cursive script that reads "Janet Porter". The signature is written in dark ink on a light-colored background.

Janet Porter  
President Faith2Action



# POLICY BRIEF

## S.B. 6: The Arkansas Unborn Child Protection Act

Last Updated: 11/18/2020

**Synopsis:** S.B. 6, the Arkansas Unborn Child Protection Act, by Sen. Jason Rapert and Rep. Mary Bentley would prohibit abortion in Arkansas except in medical emergencies when the mother's life is at risk. The bill is virtually identical to Act 180 of 2019, the "trigger law" that the Arkansas Legislature passed to make abortion illegal if the U.S. Supreme Court overturns its 1973 *Roe v. Wade* decision. Below are a few points to consider.

### Overview of S.B. 6

- S.B. 6 contains numerous legislative findings outlining why the U.S. Supreme Court should overturn its *Roe v. Wade*, *Doe v. Bolton*, and *Planned Parenthood v. Casey* abortion decisions.
- The bill prohibits abortion except in cases of medical emergency when the woman's life is at risk.
- Performing or attempting to perform an abortion would be an unclassified felony.
  - The penalty would be a fine not to exceed \$100,000 or imprisonment not to exceed 10 years, or both.
- S.B. 6 would not allow a woman to be prosecuted for the death of her unborn child.
- S.B. 6 contains exceptions for contraceptives.
- S.B. 6 creates an affirmative defense for a physician who accidentally or unintentionally causes injury or death to an unborn child.
- S.B. 6 does not explicitly affect or repeal any other state law concerning abortion.

### Additional Points to Consider

- S.B. 6 is similar to Arkansas' abortion statutes prior to *Roe v. Wade*.
- S.B. 6 is virtually identical to Act 180 of 2019 prohibiting abortion in Arkansas if the U.S. Supreme Court overturns *Roe v. Wade*.
- S.B. 6 would not repeal Act 180 of 2019.
- S.B. 6 would not repeal any other law regulating, restricting, or prohibiting abortion in Arkansas.
- S.B. 6's exception allowing abortion when the woman's life is at risk tracks with Amendment 68 to the Arkansas Constitution, which says it is the policy of the State of Arkansas to protect the lives of unborn children and contains exceptions for abortions performed to save the life of the woman.
- Under S.B. 6, a woman could not be prosecuted for having an illegal abortion.

**Please Vote YES On S.B. 6, The Arkansas Unborn Child Protection Act**





# ARKANSAS FAITH AND ETHICS COUNCIL

*Learn to do right... Isaiah 1:17*



February 9, 2021

P.O. Box 25112  
Little Rock, AR 72221

Phone: (501) 330-2853  
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Executive Director:  
Larry L. Page  
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Website: [www.ArFaith.org](http://www.ArFaith.org)

Arkansas Legislators  
State Capitol Building  
Little Rock, AR 72201

RE: Senate Bill 6

Dear Legislators,

I am conveying to you our unqualified support for Senate Bill 6 (SB6). We would strongly encourage you to support and vote for this very important proposal. Its potential to protect and preserve human life cannot be overestimated.

SB6 will ban all abortions, with the exceptions of those necessary to protect the life of the mother. There are no other exceptions – and there are no other exceptions that could justify the taking of an innocent, defenseless, unborn child. The dignity and sanctity of human life require no less.

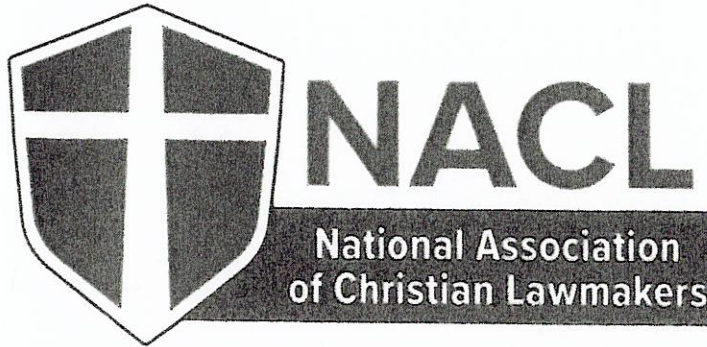
In attempting to inhibit the growing support and momentum building for adoption of SB6, its detractors point out that federal courts will strike it down and negate its enforcement. In the short-term, that might occur.

However, regardless of what the short-term may bring, those of us who have struggled to defend unborn human life and consign abortion to the dust bin of history have had to develop a long-view. And the long-view in the context of this matter reveals just how important SB6 could be in two respects.

First, when *Roe v. Wade* is overturned and discredited, the efficacy of SB6 in protecting innocent human life will be paramount. Secondly, SB6 could be the very means by which *Roe v. Wade* is invalidated. It is an ideal state law to be used to challenge *Roe v. Wade*. It is our very wish that the law SB6 becomes serves that purpose.

Respectfully,

  
Larry Page



February 7, 2021

**RE: SUPPORT FOR ARKANSAS SB6 Unborn Child Protection Act to Abolish Abortion**

To Arkansas Legislators and Governor Asa Hutchinson:

The Executive Committee of the National Association of Christian Lawmakers (NACL) writes in support of Arkansas SB6 sponsored by Sen. Jason Rapert and Rep. Mary Bentley which would abolish all abortion in the state of Arkansas except to save the life of a pregnant woman in a medical emergency. We have several NACL members serving in the Arkansas legislature including Sen. Rapert and Rep. Bentley.

The fourth provision of our NACL member pledge states:

**I pledge to uphold the sanctity of human life from the moment of conception until the point of natural death as evidenced by my support for such legislation, my actions, and my votes.**

It is with this clear pledge made by all elected official members of NACL that we wish to voice public support for SB6 and urge all Pro-Life legislators in Arkansas to support this bill to abolish abortion and force a challenge to Roe v. Wade at the U.S. Supreme Court. With abortion deaths of innocent babies in our country now approaching 62 million we must end this crime against humanity.

The NACL currently has 23 elected state legislators serving as state chairs in their respective states representing a total U.S. population of approximately 160 million American citizens and has members from all over the United States. The mission of the NACL is to bring federal, state, and local lawmakers together in support of clear Biblical principles by meeting regularly to discuss major issues, propose model statutes, ordinances and resolutions to address major policy concerns in our nation from a Biblical worldview.

In God We Trust,

A handwritten signature in black ink, appearing to read 'Tom Oliverson', written in a cursive style.

Hon. Tom Oliverson, M.D.(TX)  
Chairman NACL-National Legislative Council





Dear Members of the Arkansas Senate Public Health, Welfare, and Labor Committee,

I am writing you today as the President of Students for Life Action. Our organization works with over 1,200 pro-life student groups across the country whose mission is to abolish abortion and make it both illegal and unthinkable.

We stand behind Senator Rapert's efforts of Senate Bill 6: The Unborn Child Protection Act to end abortion in Arkansas.

The young people I work with everyday know the truth that science is clear, human life begins at conception. Over 2,362 babies are aborted every day in America. That's over 862,000 every year or 100 in the last hour alone. Each of those abortions ended a unique human life, worthy of love and respect, and entitled to life and to be treated with dignity.

You see, within the first 18 days, a preborn fetus develops blood vessels and initial brain development. Yet the CDC states that nearly 91% of abortions are committed in the first trimester. That's why it's time Arkansas to fully recognize that humanity and legally protect the lives of unborn children from conception onward.

Fortunately, this legislation would charge doctors committing abortions with a felony, potentially earning them jail time, fines, and the loss of their medical licenses. With this approach, doctors will be seriously dissuaded from engaging in the abortion industry, eliminating it as a profitable enterprise. This will help us ensure women are steered toward adoption and life affirming options for unplanned pregnancies.

As the focus of the bill enforcement is doctors and not pregnant women, we also demonstrate our compassion for the additional victims of abortion, the women who have been fooled by a culture that suggests that killing their babies is their only solution or even simply a good solution.

We ask that you stand with those women, and stand up for them and the thousands of children who die from abortion each year in Arkansas and work toward making it the last year abortionists can profit from their pain by voting YES on SB 6. As legislators, you have an opportunity to stand up and end the practice of abortion, saying no more deaths will occur on your watch, and encourage other states to follow the lead set in Arkansas.

Thank you for your consideration, I urge you to stand for life and reject abortion by voting YES on SB 6.

Sincerely,

A handwritten signature in black ink that reads "Kristang J. Hawkins". The signature is written in a cursive, flowing style.

President, Students for Life Action

Students for Life Action • 600 Princess Anne Street #7667, Fredericksburg, VA 22401

(540) 834-4600 • [www.studentsforlifeaction.org](http://www.studentsforlifeaction.org)



7 February 7, 2021

To: Arkansas State Legislators

From: An American Speaks

Re: SB6 The Arkansas Unborn Child Protection Act

Since 1972 62.5M children have been murdered in the womb, that would wipe out the population of 27 of our 50 states plus Puerto Rico. The current population of Arkansas would have been wiped out in the first three years of Roe v. Wade.

What started out as “safe, rare and legal” promises quickly gained momentum to full scale murder of more than million children a year for almost 50 years IN THE NAME OF PRIVACY?! Shame on America. And now we have joined the ranks of the only other two countries in the world that allow late term abortion, North Korea and China, two of the most brutal dictatorships in the world. Yes, we have evolved, evolved into allowing children to lie on a tray gasping for breath, crying for the care that any animal would give it’s offspring. But not America. Not North Korea. Not China. What terrible company we find ourselves in and it all started with Safe. Rare. Legal.

“3 If the foundations be destroyed, what can the righteous do? 4 The LORD is in his holy temple, the LORD's throne is in heaven: his eyes behold, his eyelids try, the children of men.5 The LORD trieth the righteous: but the wicked and him that loveth violence his soul hateth.6 Upon the wicked he shall rain snares, fire and brimstone, and an horrible tempest: this shall be the portion of their cup.” Psalm 11:3-5

Arkansas has fought abortion and promoted laws to protect the health of women, the elderly and vulnerable. This year Arkansas legislators responded to the cries of Arkansans whose churches were shuttered or severely restricted, denying not only the mental health benefits but access to the real services that the faith community provides people in need within their communities. Major retailers and liquor stores were open and busy. What a crime. This session Arkansas passed groundbreaking legislation, HB1195, that will ease the way for women and babies to move through the support system that good people have already put it place. We will finally make it as



easy to NOT have an abortion as abortion providers have made it TO have one.  
Women will know TRUE CHOICE.

If Arkansas is to be worthy of the title most pro-life state in the country we must rise to the responsibility and unyoke ourselves from the murder of innocents. It is time to say “We are not going to kill babies in Arkansas any longer. WE HAVE A BETTER WAY.”

In our ministry we heed the bible’s command. STAND FIRM.

Toni Rose

Pastor Mike Bishop

Co-Founders An American Speaks

Sources:

National Right to Life

<http://www.nrlc.org/uploads/communications/stateofabortion2021.pdf>

US Census Bureau <https://www.infoplease.com/us/states/state-population-by-rank>

Life Begins at Conception multiple sources:

<https://www.princeton.edu/~prolife/articles/embryoquotes2.html>



7 February 7, 2021

To: Arkansas State Legislators

From: Toni Rose; Arkansas State Director

Arkansas Prayer Caucus Network

Re: SB6 The Arkansas Unborn Child Protection Act

My Pastor once told us- Sin is a slow fade.

That the United States of American finds itself in the company of countries that are the most repressive against people of all faiths is repulsive to most Americans. China, North Korea and the United States are alone among nations allowing a child to be dismembered in the womb up to the time of birth. While science universally agrees life begins at conception, we allow a child to lie gasping for air, crying alone, if they have been spared their murder. This is the slow fade, probably unthinkable to those that argued "safe, rare and legal" during the arguments over Roe v. Wade.

Since 1972 62.5M children have been murdered in the womb, that would wipe out the population of more than 27 or our states. The current population of Arkansas would have been wiped out in the first three years of Roe v. Wade.

We have seen the destruction of churches, the imprisonment and torture of people of faith in China and North Korea. For the United States it took a pandemic to understand the widespread depth of hostility toward religion and the bias toward our places of worship, even in this state. Is it because we try to hold the line against the legalization of immorality in America? As God is pushed from the marketplace of ideas; work, government, public discussion, news and social media, the secular push against Judeo-Christian values that created the foundation of our country, mount. If we are to be in the company of North Korea and China, what lies ahead for our country, for freedom of religion, for freedom of any kind? How will we continue to devalue life? Already we must push back against the murder of the elderly and infirm. As science has improved the life of



people with Down's we fight against their slaughter before birth. We can perform delicate surgery to save an unborn child while slaughtering the equivalent population of more than half the states in America. The slow fade of secularism as religion pushes our nation toward Godless comparisons with nations that deny religious freedom of any faith.

<sup>3</sup> If the foundations be destroyed, what can the righteous do? <sup>4</sup> The LORD is in his holy temple, the LORD's throne is in heaven: his eyes behold, his eyelids try, the children of men. <sup>5</sup> The LORD trieth the righteous: but the wicked and him that loveth violence his soul hateth. <sup>6</sup> Upon the wicked he shall rain snares, fire and brimstone, and an horrible tempest: this shall be the portion of their cup." Psalm 11:3-5

States such as Arkansas have sliced away at unfettered abortion and promoted laws to protect the health of women, the elderly and vulnerable as a massive secular government continually sweeps away our God given rights. This year Arkansas legislators responded to the cries of Arkansans whose churches were shuttered or severely restricted, ignoring the many values faith and community support play for citizens and neighborhoods, while national retail and liquor stores were allowed almost unrestricted access to their customers.

The bible commands us to stand firm many times throughout its pages.

Arkansas proudly wears the mantle of most pro-life state in the country. We must rise to the responsibility of that mantle and unyoke ourselves from governments that deny the rights of people of faith. It is time to stop the slow fade of sin and repression that creeps across America in frightening escalation.

Stand Firm Arkansas.

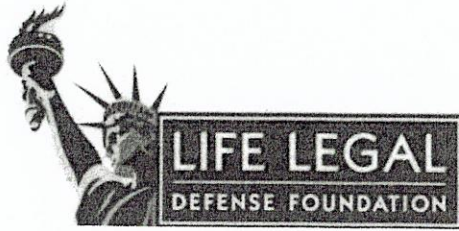
Sources:

National Right to Life <http://www.nrlc.org/uploads/communications/stateofabortion2021.pdf>

US Census Bureau <https://www.infoplease.com/us/states/state-population-by-rank>

Life Begins at Conception multiple sources:

<https://www.princeton.edu/~prolife/articles/embryoquotes2.html>



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Life Legal Defense Foundation endorses the Unborn Child Protection Act (SB6) for the following reasons:

- 1) It is imperative that we protect the most vulnerable members of society. It is hard to imagine a more vulnerable class of human beings at this time than innocent children in the womb who are targeted for abortion.
- 2) SB6 relies on a host of Supreme Court cases that stand for the notion that certain groups of people must not be discriminated against on the basis of arbitrary characteristics, including race, age, and dependency.
- 3) Black babies in Arkansas are disproportionately targeted for abortion. Over 40% of abortions in the state are performed on black women, even though black women only make up approximately 15% of the total population of women.
- 4) The state's two largest abortion clinics, Little Rock Family Planning Services and Planned Parenthood Little Rock, are located in Little Rock, with a population that is over 40% black.
- 5) It is inherently discriminatory for abortionists to locate abortion clinics in predominately African-American communities, thus disproportionately targeting black women and their babies for abortion.
- 6) With the possibility of federal legislation such as the Women's Health Protection Act and the Equality Act that threaten to abolish state restrictions on abortion, it is critical that states enact legislation pursuant their desire to protect the sanctity of human life in order to establish a record of robust protections for unborn life for the courts.

Life Legal strongly urges you to vote yes on SB6.

Alexandra Snyder, Esq.  
CEO | Life Legal Defense Foundation  
[asnyder@lldf.org](mailto:asnyder@lldf.org)  
707.224.6675



Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas *As Engrossed: S1/21/21 S2/8/21 S2/9/21*

2 93rd General Assembly

# A Bill

3 Regular Session, 2021

SENATE BILL 6

4

5 By: Senators Rapert, *T. Garner, G. Stubblefield, B. Ballinger, Bledsoe, A. Clark, L. Eads, J. English,*

6 *Flippo, Gilmore, K. Hammer, Hester, Hill, Irvin, B. Johnson, D. Sullivan, D. Wallace, Beckham, M.*

7 *Johnson*

8 By: Representatives Bentley, *Gazaway, M. Berry, Bragg, Breaux, Brooks, Cloud, C. Cooper, Cozart,*

9 *Crawford, Dotson, Evans, Hillman, Lowery, J. Mayberry, McCollum, McNair, Milligan, Payton,*

10 *Pilkington, Ray, B. Smith, Tosh, Underwood, Vaught, Wardlaw, Watson, Beaty Jr., Lundstrum, Richmond*

11

12

## For An Act To Be Entitled

13

AN ACT TO CREATE THE ARKANSAS UNBORN CHILD PROTECTION  
ACT; TO ABOLISH ABORTION IN ARKANSAS AND PROTECT THE  
LIVES OF UNBORN CHILDREN; TO PROTECT ALL HUMAN LIFE;  
AND FOR OTHER PURPOSES.

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## Subtitle

20

TO CREATE THE ARKANSAS UNBORN CHILD  
PROTECTION ACT; TO ABOLISH ABORTION IN  
ARKANSAS AND PROTECT THE LIVES OF UNBORN  
CHILDREN; AND TO PROTECT ALL HUMAN LIFE.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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28

SECTION 1. Arkansas Code Title 5, Chapter 61, is amended to add an  
additional subchapter to read as follows:

29

30

Subchapter 4 – Arkansas Unborn Child Protection Act

31

32

5-61-401. Title.

33

This subchapter shall be known and may be cited as the “Arkansas Unborn  
Child Protection Act”.

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35

36

5-61-402. Legislative findings and intent.



1 (a) The General Assembly finds that:

2 (1) It is time for the United States Supreme Court to redress  
3 and correct the grave injustice and the crime against humanity which is being  
4 perpetuated by *its decisions* in Roe v. Wade, Doe v. Bolton, and Planned  
5 Parenthood v. Casey;

6 (2) The United States Supreme Court committed a grave injustice  
7 and a crime against humanity in the Dred Scott decision by denying personhood  
8 to a class of human beings, African-Americans;

9 (3) The United States Supreme Court also committed a grave  
10 injustice and a crime against humanity by upholding the “separate but equal”  
11 doctrine in *Plessy v. Ferguson*, which withdrew legal protection from a class  
12 of human beings who were persons under the United States Constitution,  
13 African-Americans;

14 (4) A crime against humanity occurs when a government withdraws  
15 legal protection from a class of *human beings*, resulting in severe  
16 deprivation of their rights, up to and including death;

17 (5) In *Brown v. Board of Education*, the United States Supreme  
18 Court corrected its own grave injustice and crime against humanity created in  
19 *Plessy v. Ferguson* by overruling and abolishing the fifty-eight-year-old  
20 “separate but equal” doctrine, thus giving equal legal rights to African-  
21 Americans;

22 (6) Under the doctrine of stare decisis, the three (3) abortion  
23 cases mentioned in subdivision (a)(1) of this section meet the test for when  
24 a case should be overturned by the United States Supreme Court because of  
25 significant changes in facts or laws, including without limitation the  
26 following:

27 (A) The cases have not been accepted by scholars, judges,  
28 and the American people, as witnessed to by the fact that these cases are  
29 still the most intensely controversial cases in American history and at the  
30 present time;

31 (B) New scientific advances have demonstrated since 1973  
32 that life begins at the moment of conception and that the child in a woman’s  
33 womb is a human being;

34 (C) Scientific evidence and personal testimonies document  
35 the massive harm that abortion causes to women;

36 (D) The laws in all fifty (50) states have now changed



1 through "Safe Haven" laws to eliminate all burden of child care from women  
2 who do not want to care for a child; and

3 (E) Public attitudes favoring adoption have created a  
4 culture of adoption in the United States, with many families waiting long  
5 periods of time to adopt newborn infants;

6 (7) Before the United States Supreme Court decision of Roe v.  
7 Wade, Arkansas had already enacted prohibitions on abortions under § 5-61-101  
8 et seq., and authorized the refusal to perform, participate, consent or  
9 submit to an abortion under § 20-16-601;

10 (8) Arkansas Constitution, Amendment 68, states that the policy  
11 of Arkansas is to protect the life of every unborn child from conception  
12 until birth and that public funds shall not be used to pay for any abortion,  
13 except to save the life of the mother;

14 (9) Arkansas passed the Arkansas Human Heartbeat Protection Act,  
15 § 20-16-1301 et seq., in 2013, which shows the will of the Arkansas people to  
16 save the lives of unborn children;

17 (10) Arkansas has continued to pass additional legislation in  
18 2015, 2017, and 2019 that further shows the will of the Arkansas people to  
19 save the lives of unborn children;

20 (11)(A) Since the decision of Roe v. Wade, approximately sixty  
21 million sixty-nine thousand nine hundred seventy-one (60,069,971) abortions  
22 have ended the lives of unborn children.

23 (B) In 2015, six hundred thirty-eight thousand one hundred  
24 sixty-nine (638,169) legal induced abortions were reported to the Centers for  
25 Disease Control and Prevention from forty-nine (49) reporting areas in the  
26 United States.

27 (C) The Department of Health reports that two thousand  
28 nine hundred sixty-three (2,963) abortions took place in Arkansas during  
29 2019, including abortions performed on out-of-state residents; and

30 (12) The State of Arkansas urgently pleads with the United  
31 States Supreme Court to do the right thing, as they did in one of their  
32 greatest cases, Brown v. Board of Education, which overturned a fifty-eight-  
33 year-old precedent of the United States, and reverse, cancel, overturn, and  
34 annul Roe v. Wade, Doe v. Bolton, and Planned Parenthood v. Casey.

35 (b) It is the intent of this subchapter to ensure that abortion in  
36 Arkansas is abolished and to protect the lives of unborn children.

1  
2 5-61-403. Definitions.

3 As used in this subchapter:

4 (1)(A) "Abortion" means the act of using, prescribing,  
5 administering, procuring, or selling of any instrument, medicine, drug, or  
6 any other substance, device, or means with the purpose to terminate the  
7 pregnancy of a woman, with knowledge that the termination by any of those  
8 means will with reasonable likelihood cause the death of the unborn child.

9 (B) An act under subdivision (1)(A) of this section is not  
10 an abortion if the act is performed with the purpose to:

11 (i) Save the life or preserve the health of the  
12 unborn child;

13 (ii) Remove a dead unborn child caused by  
14 spontaneous abortion; or

15 (iii) Remove an ectopic pregnancy;

16 (2) "Fertilization" means the fusion of a human spermatozoon  
17 with a human ovum;

18 (3) "Medical emergency" means a condition in which an abortion  
19 is necessary to preserve the life of a pregnant woman whose life is  
20 endangered by a physical disorder, physical illness, or physical injury,  
21 including a life-endangering physical condition caused by or arising from the  
22 pregnancy itself; and

23 (4) "Unborn child" means an individual organism of the species  
24 Homo sapiens from fertilization until live birth.

25  
26 5-61-404. Prohibition.

27 (a) A person shall not purposely perform or attempt to perform an  
28 abortion except to save the life of a pregnant woman in a medical emergency.

29 (b) Performing or attempting to perform an abortion is an unclassified  
30 felony with a fine not to exceed one hundred thousand dollars (\$100,000) or  
31 imprisonment not to exceed ten (10) years, or both.

32 (c) This section does not:

33 (1) Authorize the charging or conviction of a woman with any  
34 criminal offense in the death of her own unborn child; or

35 (2) Prohibit the sale, use, prescription, or administration of a  
36 contraceptive measure, drug, or chemical if the contraceptive measure, drug,



1 or chemical is administered before the time when a pregnancy could be  
2 determined through conventional medical testing and if the contraceptive  
3 measure, drug, or chemical is sold, used, prescribed, or administered in  
4 accordance with manufacturer instructions.

5 (d) It is an affirmative defense to prosecution under this section if  
6 a licensed physician provides medical treatment to a pregnant woman which  
7 results in the accidental or *unintentional physical injury* or death to the  
8 unborn child.

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11 */s/Rapert*  
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