



Michael L. Parson

GOVERNOR
STATE OF MISSOURI

May 16, 2023

Mehreen Rasheed
American Oversight
via records@americanoversight.org

Re: *Sunshine Law Request*

Dear Ms. Rasheed,

I am responding to your Missouri Open Meetings and Records (“Sunshine Law”) request, which I received from you by email on May 11, 2023. This response is being submitted within the three-day period required by the Sunshine Law. RSMo. § 610.023.3.

You request “All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) and text messages or messages on messaging platforms (such as Slack, GChat, Lync, Skype, Twitter direct messages, Facebook messages, WhatsApp, Signal, Telegram, or Parler) between (a) former General Counsel Andrew Bailey, and (b) any of the external entities or individuals listed below or anyone communicating on behalf of any of the entities listed below (including, but not limited to, at the listed email addresses and/or domains).

External Entities/Individuals:

- i. Federalist Society (fed-soc.org or fedsoc.org)
- ii. Americans United for Life (aul.org)
- iii. National Pro-Life Alliance (prolifealliance.com)
- iv. National Right to Life Committee (nrlc.org)
- v. Students for Life (studentsforlife.org)
- vi. Marjorie Dannenfelser or Susan B. Anthony List (sbalist.org, sbalist.org)
- vii. Charlotte Lozier Institute (lozierinstitute.org)
- viii. Brian Sanderson (bsanderson@threeoakgroup.com)
- ix. Thomas More Society (thomasmoresociety.org)
- x. Missouri Right to Life (missourilife.org)
- xi. Vitae Foundation (vitaefoundation.org)
- xii. Alliance for Life – Missouri (allianceforlifemissouri.com)
- xiii. Coalition for Life St. Louis (coalitionlife.com)
- xiv. Federation for American Immigration Reform (fairus.org)
- xv. Immigration Reform Law Institute or Attorneys United for a Secure America (irli.org)
- xvi. Center for Immigration Studies (cis.org)
- xvii. Center for Renewing America or Citizens for Renewing America (americarenewing.com or citizensrenewingamerica.com)
- xviii. Jim DeMint, Mark Meadows, Ed Corrigán, or anyone communicating from an email address ending in conservativepartnership.org or cpi.org
- xix. Kris Kobach (kkobach@gmail.com, kris@kriskobach.com, or kris.kobach@ag.ks.gov)
- xx. Alliance for Free Citizens (allianceforfreecitizens.org)
- xxi. America First Policy Institute (americafirstpolicy.com)
- xxii. Stephen Miller, Gene Hamilton, Russ Vought, or anyone from America First Legal (aflegal.org)
- xxiii. Ken Cuccinelli, or any person communicating from ktc21968@gmail.com or an email address ending in sba-list.org, americanprinciplesproject.org, americarenewing.com, or electiontransparency.org
- xxiv. National Border Patrol Council President Brandon Judd



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xxv. Jessica Anderson, Garrett Bess, or any person communicating from an email address ending in heritageaction.com
xxvi. Ed Meese, Bridgett Wagner, Hans von Spakovsky or any person communicating from an email address ending in heritage.org
xxvii. J. (John) Christian Adams, Maureen Riordan, Logan Churchwell or any person communicating from an email address ending in publicinterestlegal.org or electionlawcenter.com
xxviii. Cleta Mitchell, or any person communicating from an email address ending in @cletamitchell.com, foley.com, or freedomworks.org
xxix. Catherine Engelbrecht, Courtney Kramer, or any person communicating from an email address ending in truthevote.org
xxx. Trent England, or any person communicating from an email address ending in saveourstates.com
xxxi. Leonard Leo, Jason Snead, or any person communicating from an email address ending in honestelections.org or jasonsnead.com
xxxii. Teneo Network (teneonetwork.com)
xxxiii. Tracie Sharp, Kathleen O'Hearn, or any person communicating from an email address ending in spn.org
xxxiv. Jenna Ellis, or any person communicating from an email address ending in americangreatnessfund.com
xxxv. James Bopp, or any person communicating from an email address ending in bopplaw.com or from jboppjr@aol.com
xxxvi. Phill Kline (phillklineva@gmail.com), Jacquelin Timmer, or anyone communicating from an email address ending in amistadproject.org or @got-freedom.org
xxxvii. Gina Swoboda (ginaswoboda@hotmail.com), or any person communicating from an email address ending in voteref.com, voterreferencefoundation.com, or restorationaction.com...

Please provide all responsive records from March 1, 2021, through December 31, 2022."

To the extent information that is closed or confidential by state law appears in the record, it has been redacted. The redacted information represents records which are considered closed pursuant to RSMo § 105.1500(3).

With this letter and responsive records, we are closing your request.

Sincerely,

A handwritten signature in blue ink that reads "Taylee Soukup".

Taylee Soukup
Custodian of Records

Message: Accepted: SBA List + Andrew Bailey call

☐ Accepted: SBA List + Andrew Bailey call

From Bailey, Andrew Date Wednesday, April 6, 2022 9:33:57 AM

To [REDACTED]

Cc

Subject Accepted: SBA List + Andrew Bailey call

Message: Jennifer Bukowsky added you to the Fed Soc Steering Committee group

 Jennifer Bukowsky added you to the Fed Soc Steering Committee group

From Jennifer Bukowsky Date Monday, August 30, 2021 5:40:54 PM

To Bailey, Andrew

Cc

Subject Jennifer Bukowsky added you to the Fed Soc Steering Committee group

 GuestWelcomeEmailTopLeftImage.png (22 Kb)  GuestWelcomeEmailTopRightImage.png (36 Kb) 

 GuestWelcomeEmailRightBottomImage.png (6 Kb)  GuestWelcomeEmailIcon.png (2 Kb)  MicrosoftImage.png (22 Kb)  GuestWelcomeEmailMiddleImage.png (11 Kb)

Microsoft 365

Work Brilliantly Together

Welcome to the Fed Soc Steering Committee Group

Private group with guests

Federalist Society Jefferson City Lawyers Chapter Steering
Committee members. Current President: Jennifer Bukowsky
Vice President: Marc Ellinger Secretary: Jesus Osete



FedSocSteeringCommittee@NETORGFT3812514.onmicrosoft.com

How to participate

As a guest, you're invited to take part in group conversations, share the latest ideas saved in the group files and notebook, and manage group tasks.

Email the group

For easy access, add
FedSocSteeringCommittee@NETORGFT3812514.onmicrosoft.com to your contacts
and save this message in your inbox so
you can refer back to it.

Go to the shared notebook

Read and add to the latest notes
from group members.



Save this email to get back to everything your group
has to offer.



Microsoft



Microsoft Corporation
One Microsoft Way
Redmond, WA 98052 USA

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Microsoft

Message: FW: TOMORROW: Fight Against Vax Mandates & Big Tech Lawsuit Update

 FW: TOMORROW: Fight Against Vax Mandates & Big Tech Lawsuit Update

From Allee, Tammy Date Tuesday, November 16, 2021 7:10:48 AM

To Bailey, Andrew

Cc

Subject FW: TOMORROW: Fight Against Vax Mandates & Big Tech Lawsuit Update

I wasn't sure if this was something that a staff member should listen in to or not so passing along to you.

Tammy Allee

Executive Assistant/Scheduler

Missouri Governor *Michael L. Parson*

(573) 751-3222

From: Pam Bondi <clp.bondi@emailamericafirstpolicy.com>

Sent: Monday, November 15, 2021 6:35 PM

To: Allee, Tammy <Tammy.Alee@governor.mo.gov>

Subject: TOMORROW: Fight Against Vax Mandates & Big Tech Lawsuit Update

Last week, the Occupational Safety and Health Administration (OSHA) introduced an Emergency Temporary Standard (ETS) mandating that companies with 100 employees or more force their employees to either receive the COVID-19 vaccine or undergo weekly testing at the expense of the individual. If companies do not comply, they will face staggering fines of \$14,000 or more per violation!

The America First Policy Institute (AFPI), in partnership with Alliance for Free Citizens, filed a Petition for Review and Motion for Stay of OSHA's ETS.

In this lawsuit, AFPI's Constitutional Litigation Partnership will be representing:

1. Jamie Fleck, Founder and President of DTN Staffing, along with several of the company's employees. **DTN Staffing** is a company dedicated to providing highly qualified healthcare staff to medical facilities throughout the Midwest.
2. Brad Miller, President of Miller Insulation, along with several of the company's employees. **Miller Insulation** offers commercial and residential contracting, industrial insulation, and oilfield services in various states across the country.

Join us via Zoom audio TOMORROW, November 16th at 3:30 PM ET, to hear directly from myself, John Coale, lead attorney for the Big Tech lawsuit, Jessica Hart Steinmann, AFPI General Counsel, and Catharine Cypher, Chief of Staff for AFPI's Constitutional Litigation Partnership, to hear about the next steps of the petition and our legal team's strategy in **asking the Eighth Circuit Court of Appeals to review the Biden Administration's obtrusive vaccine mandate on private companies and American workers.**

[RSVP HERE](#)

It is essential to protect ALL Americans' right to make their own healthcare decisions without risk of losing their job! Join us next week to see how you can join the movement.

Freedom!



The Honorable Pam Bondi
Chair, Constitutional Litigation Partnership

America First Policy Institute

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president@americafirstpolicy.com

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[Unsubscribe](#) or [Manage Your Preferences](#)

Message: Dobbs material

 Dobbs material

From Brian Sanderson Date Tuesday, April 5, 2022 2:35:06 PM

To Bailey, Andrew

Cc

Subject Dobbs material

 image001.png (43 Kb)  Missouri 2022.pdf (160 Kb)  Dobbs-Messaging-Guide-03-22-22.pdf (611 Kb)
Andrew,

Thanks for your time this afternoon. Please find attached a couple of documents that should be helpful in advance of our call. I'll have some time windows to you shortly. Thanks again – Brian

Brian W. Sanderson



Current Law in Missouri

Abortion is illegal in Missouri after viability unless “the abortion is necessary to preserve the life of the pregnant woman or a continuation of the pregnancy will create a serious risk of substantial and irreversible physical impairment of a major bodily function of the woman.”

i Missouri also prohibits partial-birth abortion. Missouri enacted

prohibitions on discriminatory abortions (sought because of unborn baby's race, sex, or genetic anomaly); however, these provisions are presently enjoined. Importantly, Missouri has enacted a pre-viability gestational ban (presently enjoined) and a "trigger statute," an abortion ban designed to become enforceable if Roe is reversed.

Additional statutes and regulations protecting women and unborn children throughout pregnancy: Missouri maintains numerous safeguards for unborn children and their mothers, including: informed consent and reflection requirements; a mandatory offer for ultrasound; a written parental consent requirement; public funding and insurance coverage restrictions; abortion facility health and safety standards and inspections; a requirement that only licensed physicians with surgical privileges at a nearby hospital perform abortions; a requirement that the initial dose of an abortion-inducing drug be administered in the presence of a physician; and recognition of unborn children as victims of violent acts committed against their mothers.

Missouri's constitution: The Missouri Supreme Court has never held that Missouri's constitution protects a right to abortion.

ii

Impact in Missouri if Roe is Reversed

Before the U.S. Supreme Court invalidated most state-enacted protections for unborn children and their mothers in *Roe v. Wade* in 1973, Missouri prohibited abortion unless it was "necessary to preserve [the mother's] life or that of an unborn child."

iii The law was

declared unconstitutional on federal, not state grounds,
iv and was later repealed.

v In

2019, Missouri enacted a "trigger statute" providing that, following state administrative or legislative affirmation that the (a) Supreme Court has overruled *Roe v. Wade* restoring or granting state authority to prohibit abortion, (b) the U.S. Constitution has been amended to restore such authority, or (c) Congress has enacted a law that restores or grants that authority, abortion will be illegal unless necessary to preserve the life or prevent serious injury to the pregnant woman.

vi Also in 2019, Missouri enacted an eight-

week abortion ban that is presently enjoined.

vii

Action required to enforce abortion ban: If the Supreme Court returns to the states the authority to ban pre-viability abortions, Missouri can choose to either enforce the

trigger or the eight-week ban. The trigger ban is expressly written to take effect if Roe is reversed, and it covers all gestations. However, if the eight-week ban is still in litigation, the state could move that the injunction be vacated and the case dismissed, which would permit immediate enforcement of that law. Regardless, following the activation of either law the attorney general should provide immediate notice to all state and local officials who are responsible for enforcing it.

Impact on other state abortion laws: Both Missouri’s trigger statute and eight-week ban state that they are enforceable “notwithstanding any other provision of law to the contrary.” Other conflicting laws regulating abortion may need to be repealed; however, the express language of the statutes and the enactment of the state’s abortion bans after the enactment of most of the state’s other abortion-related laws clearly indicate that the state bans are intended to supersede any conflicting laws.

- i Mo. Rev. Stat. § 188.030.
- ii Further, the Missouri general assembly has found that “[t]he life of each human being begins at conception” and that “[u]nborn children have protectable interests in life, health, and well-being.” The laws of Missouri should “be interpreted and construed to acknowledge on behalf of the unborn child at every stage of development, all the rights, privileges, and immunities” available to others, subject only to the U.S. Constitution, U.S. Supreme Court decisions, and state law. Mo. Rev. Stat. § 1.205.
- iii Mo. Ann. Stat. § 599.100 (Vernon 1969).
- iv Rodgers v. Danforth, Civ. No. 18360-2 (W.D. Mo. May 18, 1973), aff’d, 414 U.S. 1035 (1973).
- v 1977 Mo. Laws 658, 662-63.
- vi Mo. Rev. Stat. § 188.017.
- vii Mo. Rev. Stat. § 188.056(1).

Four Top Messages

SBA List has conducted extensive polling, message testing, and focus groups. From this research, we’ve developed four key messages:

Focus on the humanity of the unborn child at 15 weeks, especially the child’s developmental features and ability to feel excruciating pain – all proven by modern medicine and science.

- Thanks to advances in modern medicine and science, the humanity of a 15-week-old child in the womb is undeniable.
- Children at this stage have fully formed noses and lips, eyelids and eyebrows; they can suck their thumbs, and can even feel pain.

- *Roe* is based on outdated science. It’s time for the courts to allow the law to catch up.

Emphasize that the likely outcome in *Dobbs* will be to allow the American people to debate this issue through their elected representatives – NOT a complete nationwide ban on abortion. Elected officials rather than unelected judges will set abortion policy based on where consensus is found.

- *Roe* puts unelected judges in charge of abortion policy. Abortion laws should be debated and decided by the American people, not dictated by judges. *Roe* imposes a one-size-fitsall legal system that leaves Americans without a voice.

- Overturning *Roe* gets the courts out of the abortion business and allows Americans to have a discussion and come to consensus through their elected officials. Consensus will look different in different places.

Hammer Democrats for their extremist position in favor of abortion on demand, even painful late-term abortions when the child can feel excruciating pain.

- Politicians who support *Roe* support court-imposed abortion on demand up until the moment of birth.

3 They oppose allowing Americans to even debate the issue through their

1 <https://lozierinstitute.org/15-facts-at-15-weeks/>

2 voyageoflife.com

3 <https://www.nationalreview.com/corner/supporting-roe-means-supporting-abortion-until-birth/>

4 <https://www.sba-list.org/hyde>

5 <https://www.nationalreview.com/corner/virginia-governor-defends-letting-infants-die/>

6 <https://www.sba-list.org/newsroom/press-releases/pro-life-leaders-launch-discharge-petition-to-push-for-a->

[vote- on-born-alive-protections-for-babies](#)

7 <https://www.kofc.org/en/news-room/polls/americans-support-legal-limits-on-abortion.html>

elected representatives. These same politicians support taxpayer funding of abortion

4 and

even infanticide.

5,6 They are way out of step with the American people.

- 71% of Americans support significant limits on abortion

7 and most Americans would prefer

that the people set abortion policy through their elected officials, not unelected judges.

8

- Because of *Roe* and *Casey*, the United States is more in line with China and North Korea when it comes to abortion policy.

9 Even in progressive Europe, 47 out of 50 countries have

limits on abortion prior to 15 weeks.

10

Demonstrate that the pro-life movement cares not only about the unborn child, but about

AMERICAN
OVERSIGHT

the mother as well, and providing the resources necessary for her to choose life.

- The pro-life movement cares not only about the unborn child, but also for vulnerable mothers.
- This is demonstrated by the more than 2,700 pregnancy care centers nationwide that serve millions of people annually.

11

- It is also demonstrated by government-funded programs like the Texas Alternatives to Abortion program
 - 12 – with a \$100 million annual budget
 - 13 – that provide counseling, material

assistance, care coordination, and housing support.

Q&A – Answering Tough Questions

Q: If *Roe* is overturned, do you want to see all abortions made illegal?

A: Unborn children and mothers should be protected under the law. If *Roe* is overturned, the issue is returned to the people to decide it through their elected representatives in Congress and in the states. We should save as many children as we can under the law based on where consensus is found, and work toward the day when all children and mothers are protected. That won't happen overnight, but reversing *Roe* begins the process of the people being able to act to protect life.

Q: If *Roe* is overturned and abortion is criminalized, how would you enforce it? Who should be punished under the law? The doctor? The mother? Both?

A: The pro-life movement believes that in every abortion there are two victims: the mother and the child. The mother should always be held harmless under the law. The abortionist who performed the illegal abortion should be punished, not the mother.

Q: Poll after poll shows the majority of Americans do not want to see *Roe* overturned. You talk a lot about letting the people have a say, but isn't it clear most Americans prefer the status quo of the *Roe* decision?

A: Any poll asking just about *Roe* is superficial. Polling conducted for SBA List shows a third of American voters believe *Roe* only allows for abortions during the first trimester, and another third

⁸ <https://www.sba-list.org/polling#scotus>

⁹ <https://www.washingtonpost.com/news/fact-checker/wp/2017/10/09/is-the-united-states-one-of-seven-coun>

[tries- that-allow-elective-abortion-after-20-weeks-of-pregnancy/](#)

¹⁰ <https://lozierinstitute.org/comparing-mississippi-limit-with-european-laws/>

¹¹ <https://lozierinstitute.org/pregnancy-center-reports/>

¹² <https://www.hhs.texas.gov/services/health/women-children/alternatives-abortion>

¹³ <https://lozierinstitute.org/alternatives-to-abortion-programs-support-for-mothers-and-families/>

of voters say they don't know when *Roe* limits abortions, if at all. Only 20% of voters correctly identified *Roe* as allowing for abortions up until birth. There are plenty of polls that demonstrate the American people, even many who identify as pro-choice, reject abortion on demand until birth

¹⁴ and support limits.

¹⁵ Further, polling also demonstrates that most Americans prefer that their

elected representatives, not unelected judges, determine abortion policy.

¹⁶

Q: If *Roe* is overturned and pro-life states ban abortion, the impact is going to be hardest on poor women, especially poor women of color who cannot afford to travel out of state to get an abortion. Why are you advocating for laws that will hurt poor people of color?

It is a travesty that abortion disproportionately impacts people of color and has done so for decades.

¹⁷ America is better than that. The pro-life movement believes in the dignity of all people,

regardless of race or income. If *Roe* is overturned and unborn children can be protected, we will be able to save these vulnerable children. That should be celebrated. The pro-life movement stands ready to support these moms who no longer have access to abortion. The pro-life movement has been serving women and families for the past 50 years through existing networks like America's 2,700 pregnancy centers that provide vital services to millions of people each year at virtually no cost.

¹⁸ Programs like Her PLAN (Pregnancy and Life Assistance Network)

¹⁹ have

launched to identify and fill gaps in the safety net across states so that the needs of mothers and babies are met.

Q: Why is your side insistent on telling a woman what to do with her body, yet when it comes to COVID-19 which has killed millions of people, your side resists vaccine mandates that can save lives under the same premise of individual liberty? Your side is effectively saying "my body, my choice" when it comes to vaccines. Isn't that hypocritical and inconsistent with being "pro-life?"

A: You're comparing apples and oranges. With the COVID-19 vaccine, you're talking about a vaccine meant to protect against illness. When you're talking about abortion, you're talking about a procedure that is considered successful when it results in the death of an unborn child. The goal of an abortion is to deliver a dead baby. When refusing a vaccine, death is not the goal, and it doesn't mean precautions aren't being taken elsewhere to protect oneself and others from serious illness. There are many reasons for vaccine reluctance, but none of those reasons involves intentionally causing the death of another human being.

Q: Won't the overturning of *Roe* cause women turn to "back alley" abortions that could kill them?

A: The pro-life movement cares deeply about the health, safety and well-being of women. The reality is that currently under *Roe*, abortion is not safe for either unborn children or their mothers.

¹⁴ <https://www.sba-list.org/polling>

¹⁵ <https://www.kofc.org/en/news-room/polls/americans-support-legal-limits-on-abortion.html>

¹⁶ SBA List/MacLaughlin & Associates, July 2018

¹⁷ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7436774/>

18 [https://lozierinstitute.org/pro-life-pregnancy-centers-served-2-million-people-with-essential-medical-](https://lozierinstitute.org/pro-life-pregnancy-centers-served-2-million-people-with-essential-medical-education-and-support-services-in-2019/)

[education-and-support-services-in-2019/](https://lozierinstitute.org/pro-life-pregnancy-centers-served-2-million-people-with-essential-medical-education-and-support-services-in-2019/)

19 <https://herplan.org/>

Abortion in many states is vastly unregulated, leading to horrific conditions in facilities like those of Kermit Gosnell and severe injury or even death at the hands of incompetent so-called doctors like Steven Chase Brigham, Leroy Carhart, and many others.

20 Further, a recent study reviewing

abortions that were paid for by state Medicaid funds found that for every 100 abortions performed, there were 35 ER visits for abortion complications.

21 We must do everything we can as

a society – both the public and private sector – so that mothers never reach a point of desperation where they feel the need to seek an illegal abortion. There should be bipartisan consensus on that point, regardless of how one feels about abortion.

Q: Won't overturning *Roe* set back women's rights and equality to men? Women have come to rely on reproductive freedom to advance economically and achieve their dreams.

The pro-life movement rejects the false and paternalistic argument that women have meaningful lives only because seven male justices in *Roe* invented a “right” to abortion in 1973. As a legal brief filed in *Dobbs* authored by 240 female scholars and professionals

22 argues, *Roe* has had no

impact on women's equality in American society: “Even a cursory review of history reveals that the expansion of opportunities for women – as well as their increased participation in political, social, and economic spheres – predated *Roe*.” Further, another brief filed by pro-life women legislators representing nearly every state in the country

23 demonstrated how women's representation

in public office has soared since 1973. It also demonstrated that women in public office are representing both sides of the abortion debate. If *Roe* is overturned and the issue is handed back to the people to decide, women's voices on both sides of the debate will be strongly represented. The brief states: “Because of the substantial changes that even a minority of women bring to a legislative body, there is no longer a need — if there ever was — for this Court to assume that women cannot adequately protect their own interests through state political processes... Because women can now advance their own policy preferences in legislatures throughout the Nation, the Court can and should give greater deference to state legislators' judgments about how to regulate abortion within their states' borders.”

Q: If *Roe* is overturned and you can pass laws to criminalize abortion, why do you think it's OK to impose your own religious beliefs on everyone else?

A: You do not have to be a religious person to believe that the unborn child developing in the womb is a person who is entitled to legal protection. It is a scientific and biological fact that life begins at conception. Sure, people's religious views can also come into play, believing that this life was created by God. But it's fundamentally a matter of science and biology. Show an ultrasound of an unborn child to a five-year-old and they'll tell you it's a child. And it's very doubtful they'd bring up a religious view in explaining why.

20 <https://www.sba-list.org/negligence>

21 <https://journals.sagepub.com/doi/full/10.1177/233333928211053965>

22 [https://www.supremecourt.gov/DocketPDF/19/19-1392/185586/20210803111413494_19-1392%20](https://www.supremecourt.gov/DocketPDF/19/19-1392/185586/20210803111413494_19-1392%20Brief%20of%20240%20Women%20Scholars%20et%20al%20In%20Support%20of%20Petitioners%20REPLACEMENT%20COPIES.pdf)

[Brief%20of%20240%20Women%20Scholars%20et%20al%20In%20Support%20of%20Petitioners%20REPLACEMENT%20COPIES.pdf](https://www.supremecourt.gov/DocketPDF/19/19-1392/185586/20210803111413494_19-1392%20Brief%20of%20240%20Women%20Scholars%20et%20al%20In%20Support%20of%20Petitioners%20REPLACEMENT%20COPIES.pdf)

23 <https://s27319.pcdn.co/wp-content/uploads/2021/07/SBA-List-Final.pdf>

Q: Justice cannot be achieved until every person can make their own decisions about their bodies, their lives, and their futures. Why do you want to take a huge step backwards for women by taking away their autonomy?

A: The premise of the question only makes sense if the unborn child isn't a distinct, living human being. Basic biology tells us that the unborn child is a distinct person who should be entitled to the same freedom and future that you talked about. There are two lives at stake here, not one.

Q. It seems cruel to force a victim of rape or incest to carry her abuser's baby to term. Mississippi's 15-week limit does not have exceptions in these cases.

A: Rape and incest are horrific crimes and the perpetrators of these violent acts should be prosecuted to the fullest extent of the law. The value of human life is not determined by the circumstances of his or her conception and abortions carried out following these horrific crimes only compound the crisis that the mother is enduring. Abortion advances a cycle of violence forward on yet another innocent victim. For what other crime do we punish the child, let alone a vulnerable unborn baby, for the sin of one of his or her parents? We should also not assume that abortion is what survivors want. Estimates show that as many as 64% of women who become pregnant from rape already choose to keep and raise their babies (Shauna Prewitt, Georgetown Law Journal

24,25). They are courageous and deserve support, not stigma. Further, "Hard cases"

constitute a tiny minority of U.S. abortions – over 98% are elective/for socioeconomic reasons (Wm. Robert Johnston, 2016

26).

Q: The American College of Obstetricians and Gynecologists says a fetus isn't able to feel pain until 24 weeks gestation. Justice Sotomayor said fetal pain is only accepted by fringe scientists. Why do you want to take away a woman's right to health care based on fringe science?

ACOG is using outdated research. They ought to catch up with modern science that shows unborn children do feel pain at least by 15 weeks, if not earlier.

27 One of the world's top neuroscientists,

Dr. Stuart Derbyshire, was for many years considered a "leading voice against the likelihood of fetal pain"

28 and was on record rejecting the possibility of fetal pain prior to 24 weeks. Not only is

he not "fringe," he co-wrote one of the studies ACOG relies on to deny the science of fetal pain and his decade-old work is even cited in the abortion industry's *Dobbs* response brief.

29 What the

abortion lobby won't tell you is that, in response to growing evidence, he changed his mind and now he writes that fetal pain is possible "from as early as 12 weeks." Following the evidence is what science is all about.

24 [https://cga.ct.gov/2016/JUDdata/Tmy/2016HB-05605-R000314-Stacy,%20Nicole%20%20-](https://cga.ct.gov/2016/JUDdata/Tmy/2016HB-05605-R000314-Stacy,%20Nicole%20%20-AMERICAN OVERSIGHT)

AMERICAN
OVERSIGHT

%20Public%20Policy%20Assistant,%20Family%20Institute%20of%20Connecticut-TMY.PDF
25 <https://thoughtcatalog.com/gaby-dunn/2012/08/giving-birth-to-a-rapists-child-one-womans-story/>

26 <http://www.johnstonsarchive.net/policy/abortion/abreasons.html>

27 <https://lozierinstitute.org/the-acog-should-reconsider-fetal-pain/#:~:text=%20The%20ACOG%20>

[Should%20Reconsider%20Fetal%20Pain%20,and%20psychological%20expe rience%20that%20requires%20conscious...%20More%20](https://lozierinstitute.org/the-acog-should-reconsider-fetal-pain/#:~:text=%20The%20ACOG%20)

28 <https://www.nytimes.com/2013/09/17/health/complex-science-at-issue-in-politics-of-fetal-pain.html>

29 https://www.supremecourt.gov/DocketPDF/19/19-1392/192267/20210913143126849_19-1392bs.pdf

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Message: Re: Dobbs material

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From Brian Sanderson Date Tuesday, April 5, 2022 6:00:11 PM

To Bailey, Andrew

Cc

Subject Re: Dobbs material

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President

[\(228\) 223-1922](tel:(228)223-1922)

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- Thanks to advances in modern medicine and science, the humanity of a 15-week-old child in the womb is undeniable.
- Children at this stage have fully formed noses and lips, eyelids and eyebrows; they can suck their thumbs, and can even feel pain.

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- *Roe* is based on outdated science. It's time for the courts to allow the law to catch up.

Emphasize that the likely outcome in *Dobbs* will be to allow the American people to debate this issue through their elected representatives – NOT a complete nationwide ban on abortion. Elected officials rather than unelected judges will set abortion policy based on where consensus is found.

- *Roe* puts unelected judges in charge of abortion policy. Abortion laws should be debated and decided by the American people, not dictated by judges. *Roe* imposes a one-size-fits-all legal system that leaves Americans without a voice.
- Overturning *Roe* gets the courts out of the abortion business and allows Americans to have a discussion and come to consensus through their elected officials. Consensus will look different in different places.

Hammer Democrats for their extremist position in favor of abortion on demand, even painful late-term abortions when the child can feel excruciating pain.

- Politicians who support *Roe* support court-imposed abortion on demand up until the moment of birth.

3 They oppose allowing Americans to even debate the issue through their

1 <https://lozierinstitute.org/15-facts-at-15-weeks/>

2 voyageoflife.com

3 <https://www.nationalreview.com/corner/supporting-roe-means-supporting-abortion-until-birth/>

4 <https://www.sba-list.org/hyde>

5 <https://www.nationalreview.com/corner/virginia-governor-defends-letting-infants-die/>

6 <https://www.sba-list.org/newsroom/press-releases/pro-life-leaders-launch-discharge-petition-to-push-for-a->

[vote- on-born-alive-protections-for-babies](#)

7 <https://www.kofc.org/en/news-room/polls/americans-support-legal-limits-on-abortion.html>

elected representatives. These same politicians support taxpayer funding of abortion

4 and

even infanticide.

^{5,6} They are way out of step with the American people.

- 71% of Americans support significant limits on abortion⁷ and most Americans would prefer

that the people set abortion policy through their elected officials, not unelected judges.

⁸

- Because of *Roe* and *Casey*, the United States is more in line with China and North Korea when it comes to abortion policy.

⁹ Even in progressive Europe, 47 out of 50 countries have

limits on abortion prior to 15 weeks.

¹⁰

Demonstrate that the pro-life movement cares not only about the unborn child, but about the mother as well, and providing the resources necessary for her to choose life.

- The pro-life movement cares not only about the unborn child, but also for vulnerable mothers.
- This is demonstrated by the more than 2,700 pregnancy care centers nationwide that serve millions of people annually.

¹¹

- It is also demonstrated by government-funded programs like the Texas Alternatives to Abortion program

¹² – with a \$100 million annual budget

¹³ – that provide counseling, material

assistance, care coordination, and housing support.

Q&A – Answering Tough Questions

Q: If *Roe* is overturned, do you want to see all abortions made illegal?

A: Unborn children and mothers should be protected under the law. If *Roe* is overturned, the issue is returned to the people to decide it through their elected representatives in Congress and in the states. We should save as many children as we can under the law based on where consensus is found, and work toward the day when all children and mothers are protected. That won't happen overnight, but reversing *Roe* begins the process of the people being able to act to protect life.

Q: If *Roe* is overturned and abortion is criminalized, how would you enforce it? Who should be punished under the law? The doctor? The mother? Both?

A: The pro-life movement believes that in every abortion there are two victims: the mother and the child. The mother should always be held harmless under the law. The abortionist who performed the illegal abortion should be punished, not the mother.

Q: Poll after poll shows the majority of Americans do not want to see *Roe* overturned. You talk a lot about letting the people have a say, but isn't it clear most Americans prefer the status quo of the *Roe* decision?

A: Any poll asking just about *Roe* is superficial. Polling conducted for SBA List shows a third of American voters believe *Roe* only allows for abortions during the first trimester, and another third

8 <https://www.sba-list.org/polling#scotus>

9 <https://www.washingtonpost.com/news/fact-checker/wp/2017/10/09/is-the-united-states-one-of-seven-coun>

[tries- that-allow-elective-abortion-after-20-weeks-of-pregnancy/](#)

10 <https://lozierinstitute.org/comparing-mississippi-limit-with-european-laws/>

11 <https://lozierinstitute.org/pregnancy-center-reports/>

12 <https://www.hhs.texas.gov/services/health/women-children/alternatives-abortion>

13 <https://lozierinstitute.org/alternatives-to-abortion-programs-support-for-mothers-and-families/>

of voters say they don't know when *Roe* limits abortions, if at all. Only 20% of voters correctly identified *Roe* as allowing for abortions up until birth. There are plenty of polls that demonstrate the American people, even many who identify as pro-choice, reject abortion on demand until birth

14 and support limits.

15 Further, polling also demonstrates that most Americans prefer that their

elected representatives, not unelected judges, determine abortion policy.

16

Q: If *Roe* is overturned and pro-life states ban abortion, the impact is going to be hardest on poor women, especially poor women of color who cannot afford to travel out of state to get an abortion. Why are you advocating for laws that will hurt poor people of color?

It is a travesty that abortion disproportionately impacts people of color and has done so for decades.

17 America is better than that. The pro-life movement believes in the dignity of all people,

regardless of race or income. If *Roe* is overturned and unborn children can be protected, we will be able to save these vulnerable children. That should be celebrated. The pro-life movement stands ready to support these moms who no longer have access to abortion. The pro-life movement has been serving women and families for the past 50 years through existing networks like America's 2,700 pregnancy centers that provide vital services to millions of people each year at virtually no cost.

18 Programs like Her PLAN (Pregnancy and Life Assistance Network)

19 have

launched to identify and fill gaps in the safety net across states so that the needs of mothers and babies are met.

Q: Why is your side insistent on telling a woman what to do with her body, yet when it comes to COVID-19 which has killed millions of people, your side resists vaccine mandates that can save lives under the same premise of individual liberty? Your side is effectively saying "my body, my choice" when it comes to vaccines. Isn't that hypocritical and inconsistent with being "pro-life?"

A: You're comparing apples and oranges. With the COVID-19 vaccine, you're talking about a vaccine meant to protect against illness. When you're talking about abortion, you're talking about a procedure that is considered successful when it results in the death of an unborn child. The goal of an abortion is to deliver a dead baby. When refusing a vaccine, death is not the goal, and it doesn't mean precautions aren't being taken elsewhere to protect oneself and others from

serious illness. There are many reasons for vaccine reluctance, but none of those reasons involves intentionally causing the death of another human being.

Q: Won't the overturning of *Roe* cause women turn to “back alley” abortions that could kill them?

A: The pro-life movement cares deeply about the health, safety and well-being of women. The reality is that currently under *Roe*, abortion is not safe for either unborn children or their mothers.

¹⁴ <https://www.sba-list.org/polling>

¹⁵ <https://www.kofc.org/en/news-room/polls/americans-support-legal-limits-on-abortion.html>

¹⁶ SBA List/MacLaughlin & Associates, July 2018

¹⁷ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7436774/>

¹⁸ [https://lozierinstitute.org/pro-life-pregnancy-centers-served-2-million-people-with-essential-medical-](https://lozierinstitute.org/pro-life-pregnancy-centers-served-2-million-people-with-essential-medical-education-and-support-services-in-2019/)

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¹⁹ <https://herplan.org/>

Abortion in many states is vastly unregulated, leading to horrific conditions in facilities like those of Kermit Gosnell and severe injury or even death at the hands of incompetent so-called doctors like Steven Chase Brigham, Leroy Carhart, and many others.

²⁰ Further, a recent study reviewing

abortions that were paid for by state Medicaid funds found that for every 100 abortions performed, there were 35 ER visits for abortion complications.

²¹ We must do everything we can as

a society – both the public and private sector – so that mothers never reach a point of desperation where they feel the need to seek an illegal abortion. There should be bipartisan consensus on that point, regardless of how one feels about abortion.

Q: Won't overturning *Roe* set back women's rights and equality to men? Women have come to rely on reproductive freedom to advance economically and achieve their dreams.

The pro-life movement rejects the false and paternalistic argument that women have meaningful lives only because seven male justices in *Roe* invented a “right” to abortion in 1973. As a legal brief filed in *Dobbs* authored by 240 female scholars and professionals

²² argues, *Roe* has had no

impact on women's equality in American society: “Even a cursory review of history reveals that the expansion of opportunities for women – as well as their increased participation in political, social, and economic spheres – predated *Roe*.” Further, another brief filed by pro-life women legislators representing nearly every state in the country

²³ demonstrated how women's representation

in public office has soared since 1973. It also demonstrated that women in public office are representing both sides of the abortion debate. If *Roe* is overturned and the issue is handed back to the people to decide, women's voices on both sides of the debate will be strongly represented. The brief states: “Because of the substantial changes that even a minority of women bring to a legislative body, there is no longer a need — if there ever was — for this Court to assume that women cannot adequately protect their own interests through state political processes... Because

women can now advance their own policy preferences in legislatures throughout the Nation, the Court can and should give greater deference to state legislators' judgments about how to regulate abortion within their states' borders."

Q: If *Roe* is overturned and you can pass laws to criminalize abortion, why do you think it's OK to impose your own religious beliefs on everyone else?

A: You do not have to be a religious person to believe that the unborn child developing in the womb is a person who is entitled to legal protection. It is a scientific and biological fact that life begins at conception. Sure, people's religious views can also come into play, believing that this life was created by God. But it's fundamentally a matter of science and biology. Show an ultrasound of an unborn child to a five-year-old and they'll tell you it's a child. And it's very doubtful they'd bring up a religious view in explaining why.

²⁰ <https://www.sba-list.org/negligence>

²¹ <https://journals.sagepub.com/doi/full/10.1177/23333928211053965>

²² https://www.supremecourt.gov/DocketPDF/19/19-1392/185586/20210803111413494_19-1392%20

[Brief%20of%20240%20Women%20Scholars%20et%20al%20In%20Support%20of%20Petitioners%20REPLACEMENT%20COPIES.pdf](#)

²³ <https://s27319.pcdn.co/wp-content/uploads/2021/07/SBA-List-Final.pdf>

Q: Justice cannot be achieved until every person can make their own decisions about their bodies, their lives, and their futures. Why do you want to take a huge step backwards for women by taking away their autonomy?

A: The premise of the question only makes sense if the unborn child isn't a distinct, living human being. Basic biology tells us that the unborn child is a distinct person who should be entitled to the same freedom and future that you talked about. There are two lives at stake here, not one.

Q. It seems cruel to force a victim of rape or incest to carry her abuser's baby to term. Mississippi's 15-week limit does not have exceptions in these cases.

A: Rape and incest are horrific crimes and the perpetrators of these violent acts should be prosecuted to the fullest extent of the law. The value of human life is not determined by the circumstances of his or her conception and abortions carried out following these horrific crimes only compound the crisis that the mother is enduring. Abortion advances a cycle of violence forward on yet another innocent victim. For what other crime do we punish the child, let alone a vulnerable unborn baby, for the sin of one of his or her parents? We should also not assume that abortion is what survivors want. Estimates show that as many as 64% of women who become pregnant from rape already choose to keep and raise their babies (Shauna Prewitt, Georgetown Law Journal

^{24,25}). They are courageous and deserve support, not stigma. Further, "Hard cases"

constitute a tiny minority of U.S. abortions – over 98% are elective/for socioeconomic reasons (Wm. Robert Johnston, 2016

²⁶).

Q: The American College of Obstetricians and Gynecologists says a fetus isn't able to feel pain until 24 weeks gestation. Justice Sotomayor said fetal pain is only accepted by fringe scientists. Why do you want to take away a woman's right to health care based on fringe science?

ACOG is using outdated research. They ought to catch up with modern science that shows unborn children do feel pain at least by 15 weeks, if not earlier.

27 One of the world's top neuroscientists,

Dr. Stuart Derbyshire, was for many years considered a "leading voice against the likelihood of fetal pain"

28 and was on record rejecting the possibility of fetal pain prior to 24 weeks. Not only is

he not "fringe," he co-wrote one of the studies ACOG relies on to deny the science of fetal pain and his decade-old work is even cited in the abortion industry's *Dobbs* response brief.

29 What the

abortion lobby won't tell you is that, in response to growing evidence, he changed his mind and now he writes that fetal pain is possible "from as early as 12 weeks." Following the evidence is what science is all about.

24 [https://cga.ct.gov/2016/JUDdata/Tmy/2016HB-05605-R000314-Stacy,%20Nicole%20%20-](https://cga.ct.gov/2016/JUDdata/Tmy/2016HB-05605-R000314-Stacy,%20Nicole%20%20-%20Public%20Policy%20Assistant,%20Family%20Institute%20of%20Connecticut-TMY.PDF)

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25 <https://thoughtcatalog.com/gaby-dunn/2012/08/giving-birth-to-a-rapists-child-one-womans-story/>

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To Brian Sanderson

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2 voyageoflife.com

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Q&A – Answering Tough Questions

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Q: Poll after poll shows the majority of Americans do not want to see *Roe* overturned. You

talk a lot about letting the people have a say, but isn't it clear most Americans prefer the status quo of the *Roe* decision?

A: Any poll asking just about *Roe* is superficial. Polling conducted for SBA List shows a third of American voters believe *Roe* only allows for abortions during the first trimester, and another third

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⁹ <https://www.washingtonpost.com/news/fact-checker/wp/2017/10/09/is-the-united-states-one-of-seven-coun>

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¹⁰ <https://lozierinstitute.org/comparing-mississippi-limit-with-european-laws/>

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of voters say they don't know when *Roe* limits abortions, if at all. Only 20% of voters correctly identified *Roe* as allowing for abortions up until birth. There are plenty of polls that demonstrate the American people, even many who identify as pro-choice, reject abortion on demand until birth

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Q: If *Roe* is overturned and pro-life states ban abortion, the impact is going to be hardest on poor women, especially poor women of color who cannot afford to travel out of state to get an abortion. Why are you advocating for laws that will hurt poor people of color?

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regardless of race or income. If *Roe* is overturned and unborn children can be protected, we will be able to save these vulnerable children. That should be celebrated. The pro-life movement stands ready to support these moms who no longer have access to abortion. The pro-life movement has been serving women and families for the past 50 years through existing networks like America's 2,700 pregnancy centers that provide vital services to millions of people each year at virtually no cost.

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A: You’re comparing apples and oranges. With the COVID-19 vaccine, you’re talking about a vaccine meant to protect against illness. When you’re talking about abortion, you’re talking about a procedure that is considered successful when it results in the death of an unborn child. The goal of an abortion is to deliver a dead baby. When refusing a vaccine, death is not the goal, and it doesn’t mean precautions aren’t being taken elsewhere to protect oneself and others from serious illness. There are many reasons for vaccine reluctance, but none of those reasons involves intentionally causing the death of another human being.

Q: Won’t the overturning of *Roe* cause women turn to “back alley” abortions that could kill them?

A: The pro-life movement cares deeply about the health, safety and well-being of women. The reality is that currently under *Roe*, abortion is not safe for either unborn children or their mothers.

¹⁴ <https://www.sba-list.org/polling>

¹⁵ <https://www.kofc.org/en/news-room/polls/americans-support-legal-limits-on-abortion.html>

¹⁶ SBA List/MacLaughlin & Associates, July 2018

¹⁷ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7436774/>

¹⁸ [https://lozierinstitute.org/pro-life-pregnancy-centers-served-2-million-people-with-essential-medical-](https://lozierinstitute.org/pro-life-pregnancy-centers-served-2-million-people-with-essential-medical-education-and-support-services-in-2019/)

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¹⁹ <https://herplan.org/>

Abortion in many states is vastly unregulated, leading to horrific conditions in facilities like those of Kermit Gosnell and severe injury or even death at the hands of incompetent so-called doctors like Steven Chase Brigham, Leroy Carhart, and many others.

²⁰ Further, a recent study reviewing

abortions that were paid for by state Medicaid funds found that for every 100 abortions performed, there were 35 ER visits for abortion complications.

²¹ We must do everything we can as

a society – both the public and private sector – so that mothers never reach a point of desperation where they feel the need to seek an illegal abortion. There should be bipartisan consensus on that point, regardless of how one feels about abortion.

Q: Won’t overturning *Roe* set back women’s rights and equality to men? Women have come to rely on reproductive freedom to advance economically and achieve their dreams.

The pro-life movement rejects the false and paternalistic argument that women have meaningful lives only because seven male justices in *Roe* invented a “right” to abortion in 1973. As a legal brief filed in *Dobbs* authored by 240 female scholars and professionals

²² argues, *Roe* has had no

impact on women’s equality in American society: “Even a cursory review of history reveals that the expansion of opportunities for women – as well as their increased participation in political, social, and economic spheres – predated *Roe*.” Further, another brief filed by pro-life women legislators representing nearly every state in the country

²³ demonstrated how women’s representation

in public office has soared since 1973. It also demonstrated that women in public office are

representing both sides of the abortion debate. If *Roe* is overturned and the issue is handed back to the people to decide, women's voices on both sides of the debate will be strongly represented. The brief states: "Because of the substantial changes that even a minority of women bring to a legislative body, there is no longer a need — if there ever was — for this Court to assume that women cannot adequately protect their own interests through state political processes... Because women can now advance their own policy preferences in legislatures throughout the Nation, the Court can and should give greater deference to state legislators' judgments about how to regulate abortion within their states' borders."

Q: If *Roe* is overturned and you can pass laws to criminalize abortion, why do you think it's OK to impose your own religious beliefs on everyone else?

A: You do not have to be a religious person to believe that the unborn child developing in the womb is a person who is entitled to legal protection. It is a scientific and biological fact that life begins at conception. Sure, people's religious views can also come into play, believing that this life was created by God. But it's fundamentally a matter of science and biology. Show an ultrasound of an unborn child to a five-year-old and they'll tell you it's a child. And it's very doubtful they'd bring up a religious view in explaining why.

20 <https://www.sba-list.org/negligence>

21 <https://journals.sagepub.com/doi/full/10.1177/23333928211053965>

22 https://www.supremecourt.gov/DocketPDF/19/19-1392/185586/20210803111413494_19-1392%20

[Brief%20of%20240%20Women%20Scholars%20et%20al%20In%20Support%20of%20Petitioners%20R
EPLACEMENT%20COPIES.pdf](#)

23 <https://s27319.pcdn.co/wp-content/uploads/2021/07/SBA-List-Final.pdf>

Q: Justice cannot be achieved until every person can make their own decisions about their bodies, their lives, and their futures. Why do you want to take a huge step backwards for women by taking away their autonomy?

A: The premise of the question only makes sense if the unborn child isn't a distinct, living human being. Basic biology tells us that the unborn child is a distinct person who should be entitled to the same freedom and future that you talked about. There are two lives at stake here, not one.

Q. It seems cruel to force a victim of rape or incest to carry her abuser's baby to term. Mississippi's 15-week limit does not have exceptions in these cases.

A: Rape and incest are horrific crimes and the perpetrators of these violent acts should be prosecuted to the fullest extent of the law. The value of human life is not determined by the circumstances of his or her conception and abortions carried out following these horrific crimes only compound the crisis that the mother is enduring. Abortion advances a cycle of violence forward on yet another innocent victim. For what other crime do we punish the child, let alone a vulnerable unborn baby, for the sin of one of his or her parents? We should also not assume that abortion is what survivors want. Estimates show that as many as 64% of women who become pregnant from rape already choose to keep and raise their babies (Shauna Prewitt, Georgetown Law Journal

24,25). They are courageous and deserve support, not stigma. Further, "Hard cases"

constitute a tiny minority of U.S. abortions – over 98% are elective/for socioeconomic reasons (Wm. Robert Johnston, 2016

26).

Q: The American College of Obstetricians and Gynecologists says a fetus isn't able to feel pain until 24 weeks gestation. Justice Sotomayor said fetal pain is only accepted by fringe scientists. Why do you want to take away a woman's right to health care based on fringe science?

ACOG is using outdated research. They ought to catch up with modern science that shows unborn children do feel pain at least by 15 weeks, if not earlier.

27 One of the world's top neuroscientists,

Dr. Stuart Derbyshire, was for many years considered a "leading voice against the likelihood of fetal pain"

28 and was on record rejecting the possibility of fetal pain prior to 24 weeks. Not only is

he not "fringe," he co-wrote one of the studies ACOG relies on to deny the science of fetal pain and his decade-old work is even cited in the abortion industry's *Dobbs* response brief.

29 What the

abortion lobby won't tell you is that, in response to growing evidence, he changed his mind and now he writes that fetal pain is possible "from as early as 12 weeks." Following the evidence is what science is all about.

24 [https://cga.ct.gov/2016/JUDdata/Tmy/2016HB-05605-R000314-Stacy,%20Nicole%20%20-](https://cga.ct.gov/2016/JUDdata/Tmy/2016HB-05605-R000314-Stacy,%20Nicole%20%20-%20Public%20Policy%20Assistant,%20Family%20Institute%20of%20Connecticut-TMY.PDF)

[%20Public%20Policy%20Assistant,%20Family%20Institute%20of%20Connecticut-TMY.PDF](https://cga.ct.gov/2016/JUDdata/Tmy/2016HB-05605-R000314-Stacy,%20Nicole%20%20-%20Public%20Policy%20Assistant,%20Family%20Institute%20of%20Connecticut-TMY.PDF)

25 <https://thoughtcatalog.com/gaby-dunn/2012/08/giving-birth-to-a-rapists-child-one-womans-story/>

26 <http://www.johnstonsarchive.net/policy/abortion/abreasons.html>

27 [https://lozierinstitute.org/the-acog-should-reconsider-fetal-pain/#:~:text=%20The%20ACOG%20](https://lozierinstitute.org/the-acog-should-reconsider-fetal-pain/#:~:text=%20The%20ACOG%20Should%20Reconsider%20Fetal%20Pain%20,and%20psychological%20experience%20that%20requires%20conscious...%20More%20)

[Should%20Reconsider%20Fetal%20Pain%20,and%20psychological%20experience%20that%20requires%20conscious...%20More%20](https://lozierinstitute.org/the-acog-should-reconsider-fetal-pain/#:~:text=%20The%20ACOG%20Should%20Reconsider%20Fetal%20Pain%20,and%20psychological%20experience%20that%20requires%20conscious...%20More%20)

28 <https://www.nytimes.com/2013/09/17/health/complex-science-at-issue-in-politics-of-fetal-pain.html>

29 https://www.supremecourt.gov/DocketPDF/19/19-1392/192267/20210913143126849_19-1392bs.pdf

Q: You are trying to take us backwards and make decisions that should be made between a woman and her doctor. *Roe* has been the law for 50 years to protect women. Justice Kagan made the point that nothing has changed since then. Give me one reason we should take these rights away from women now.

A: The reality is that science and medicine have made tremendous advancements since 1973. Back then, sonogram images were made up of grainy, black and white dots – it was hard even to see major body parts clearly. Now, we have 4D ultrasound that makes it possible to see the baby smile, yawn, hiccup, suck his or her thumb, and even cry in response to a painful injection.

30 We can know

if the baby will be right-handed or left-handed. Through advances in surgery, doctors can treat conditions like spina bifida right in the womb

31 – and the babies are treated as patients in their own

right and given anesthesia for their pain. Justice Kagan was right about one thing: the baby hasn't changed. We know he or she is a living human being. Thanks to modern technology, we simply know so much more about life and development before birth,

32 and it's time our laws reflected

this.

30 4D ultrasound video of a baby (third trimester) reacting to an injection of anesthetic prior to surgery in utero:

https://cdn-links.lww.com/permalink/pr9/a/pr9_2020_11_25_diandrade_painreports-d-20-0059_sdc1.mp4

31 <https://lozierinstitute.org/dive-deeper/fetal-surgery-treating-babies-before-they-are-born/>

32 <https://lozierinstitute.org/wp-content/uploads/2021/07/CLI-Dobbs-Amicus-Brief.pdf>

Message: Re: Dobbs material

Re: Dobbs material

From Brian Sanderson Date Tuesday, April 5, 2022 7:05:06 PM

To Bailey, Andrew

Cc

Subject Re: Dobbs material

image001.png (43 Kb) Missouri 2022.pdf (160 Kb) Dobbs-Messaging-Guide-03-22-22.pdf (611 Kb)
Awesome. Let's plan for 1030 a. Will send calendar invite shortly. Thanks again.

Brian W. Sanderson

President

[\(228\) 223-1922](tel:(228)223-1922)

bsanderson@threeoakgroup.com



On Apr 5, 2022, at 6:43 PM, Bailey, Andrew <Andrew.Bailey@governor.mo.gov> wrote:

Yes absolutely.

Sent from my iPhone

On Apr 5, 2022, at 6:00 PM, Brian Sanderson <bsanderson@threeoakgroup.com> wrote:

Andrew, would this Friday between 10:30 AM and 1 PM CT work for you to do the call with SBA List? Thanks - Brian

Brian W. Sanderson

President

[\(228\) 223-1922](tel:(228)223-1922)

bsanderson@threeoakgroup.com



On Apr 5, 2022, at 2:35 PM, Brian Sanderson <bsanderson@threeoakgroup.com> wrote:

Andrew,

Thanks for your time this afternoon. Please find attached a couple of documents that should be helpful in advance of our call. I'll have some time windows to you shortly.
Thanks again – Brian

Brian W. Sanderson

Current Law in Missouri

Abortion is illegal in Missouri after viability unless “the abortion is necessary to preserve the life of the pregnant woman or a continuation of the pregnancy will create a serious risk of substantial and irreversible physical impairment of a major bodily function of the woman.”

Missouri also prohibits partial-birth abortion. Missouri enacted

prohibitions on discriminatory abortions (sought because of unborn baby's race, sex, or genetic anomaly); however, these provisions are presently enjoined. Importantly, Missouri has enacted a pre-viability gestational ban (presently enjoined) and a “trigger statute,” an abortion ban designed to become enforceable if Roe is reversed.

Additional statutes and regulations protecting women and unborn children throughout pregnancy: Missouri maintains numerous safeguards for unborn children and their mothers, including: informed consent and reflection requirements; a mandatory offer for ultrasound; a written parental consent requirement; public funding and insurance coverage restrictions; abortion facility health and safety standards and inspections; a requirement that only licensed physicians with surgical privileges at a nearby hospital perform abortions; a requirement that the initial dose of an abortion-inducing drug be

administered in the presence of a physician; and recognition of unborn children as victims of violent acts committed against their mothers.

Missouri's constitution: The Missouri Supreme Court has never held that Missouri's constitution protects a right to abortion.

ii

Impact in Missouri if Roe is Reversed

Before the U.S. Supreme Court invalidated most state-enacted protections for unborn children and their mothers in *Roe v. Wade* in 1973, Missouri prohibited abortion unless it was "necessary to preserve [the mother's] life or that of an unborn child."

iii The law was

declared unconstitutional on federal, not state grounds,

iv and was later repealed.

v In

2019, Missouri enacted a "trigger statute" providing that, following state administrative or legislative affirmation that the (a) Supreme Court has overruled *Roe v. Wade* restoring or granting state authority to prohibit abortion, (b) the U.S. Constitution has been amended to restore such authority, or (c) Congress has enacted a law that restores or grants that authority, abortion will be illegal unless necessary to preserve the life or prevent serious injury to the pregnant woman.

vi Also in 2019, Missouri enacted an eight-

week abortion ban that is presently enjoined.

vii

Action required to enforce abortion ban: If the Supreme Court returns to the states the authority to ban pre-viability abortions, Missouri can choose to either enforce the trigger or the eight-week ban. The trigger ban is expressly written to take effect if *Roe* is reversed, and it covers all gestations. However, if the eight-week ban is still in litigation, the state could move that the injunction be vacated and the case dismissed, which would permit immediate enforcement of that law. Regardless, following the activation of either law the attorney general should provide immediate notice to all state and local officials who are responsible for enforcing it.

Impact on other state abortion laws: Both Missouri's trigger statute and eight-week ban state that they are enforceable "notwithstanding any other provision of law to the contrary." Other conflicting laws regulating abortion may need to be repealed; however, the express language of the statutes and the enactment of the state's abortion bans after the enactment of most of the state's other abortion-related laws clearly indicate that the state bans are intended to supersede any conflicting laws.

i Mo. Rev. Stat. § 188.030.

ii Further, the Missouri general assembly has found that “[t]he life of each human being begins at conception” and

that “[u]nborn children have protectable interests in life, health, and well-being.” The laws of Missouri should “be interpreted and construed to acknowledge on behalf of the unborn child at every stage of development, all the rights, privileges, and immunities” available to others, subject only to the U.S. Constitution, U.S. Supreme Court decisions, and state law. Mo. Rev. Stat. § 1.205.

iii Mo. Ann. Stat. § 599.100 (Vernon 1969).

iv *Rodgers v. Danforth*, Civ. No. 18360-2 (W.D. Mo. May 18, 1973), *aff’d*, 414 U.S. 1035 (1973).

v 1977 Mo. Laws 658, 662-63.

vi Mo. Rev. Stat. § 188.017.

vii Mo. Rev. Stat. § 188.056(1).

Four Top Messages

SBA List has conducted extensive polling, message testing, and focus groups. From this research, we’ve developed four key messages:

Focus on the humanity of the unborn child at 15 weeks, especially the child’s developmental features and ability to feel excruciating pain – all proven by modern medicine and science.

1

- Thanks to advances in modern medicine and science, the humanity of a 15-week-old child in the womb is undeniable.
- Children at this stage have fully formed noses and lips, eyelids and eyebrows; they can suck their thumbs, and can even feel pain.

2

- *Roe* is based on outdated science. It’s time for the courts to allow the law to catch up.

Emphasize that the likely outcome in *Dobbs* will be to allow the American people to debate this issue through their elected representatives – NOT a complete nationwide ban on abortion. Elected officials rather than unelected judges will set abortion policy based on where consensus is found.

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[vote- on-born-alive-protections-for-babies](#)

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OVERSIGHT

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A: You’re comparing apples and oranges. With the COVID-19 vaccine, you’re talking about a vaccine meant to protect against illness. When you’re talking about abortion, you’re talking about a procedure that is considered successful when it results in the death of an unborn child. The goal of an abortion is to deliver a dead baby. When refusing a vaccine, death is not the goal, and it doesn’t mean precautions aren’t being taken elsewhere to protect oneself and others from serious illness. There are many reasons for vaccine reluctance, but none of those reasons involves intentionally causing the death of another human being.

Q: Won’t the overturning of *Roe* cause women turn to “back alley” abortions that could kill them?

A: The pro-life movement cares deeply about the health, safety and well-being of women. The reality is that currently under *Roe*, abortion is not safe for either unborn children or their mothers.

¹⁴ <https://www.sba-list.org/polling>

¹⁵ <https://www.kofc.org/en/news-room/polls/americans-support-legal-limits-on-abortion.html>

¹⁶ SBA List/MacLaughlin & Associates, July 2018

¹⁷ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7436774/>

¹⁸ [https://lozierinstitute.org/pro-life-pregnancy-centers-served-2-million-people-with-essential-medical-](https://lozierinstitute.org/pro-life-pregnancy-centers-served-2-million-people-with-essential-medical-education-and-support-services-in-2019/)

[education-and-support-services-in-2019/](https://lozierinstitute.org/pro-life-pregnancy-centers-served-2-million-people-with-essential-medical-education-and-support-services-in-2019/)

¹⁹ <https://herplan.org/>

Abortion in many states is vastly unregulated, leading to horrific conditions in facilities like those of Kermit Gosnell and severe injury or even death at the hands of incompetent so-called doctors like Steven Chase Brigham, Leroy Carhart, and many others.

²⁰ Further, a recent study reviewing

abortions that were paid for by state Medicaid funds found that for every 100 abortions performed, there were 35 ER visits for abortion complications.

²¹ We must do everything we can as

a society – both the public and private sector – so that mothers never reach a point of desperation where they feel the need to seek an illegal abortion. There should be bipartisan consensus on that point, regardless of how one feels about abortion.

Q: Won't overturning *Roe* set back women's rights and equality to men? Women have come to rely on reproductive freedom to advance economically and achieve their dreams.

The pro-life movement rejects the false and paternalistic argument that women have meaningful lives only because seven male justices in *Roe* invented a "right" to abortion in 1973. As a legal brief filed in *Dobbs* authored by 240 female scholars and professionals²² argues, *Roe* has had no

impact on women's equality in American society: "Even a cursory review of history reveals that the expansion of opportunities for women – as well as their increased participation in political, social, and economic spheres – predated *Roe*." Further, another brief filed by pro-life women legislators representing nearly every state in the country

²³ demonstrated how women's representation

in public office has soared since 1973. It also demonstrated that women in public office are representing both sides of the abortion debate. If *Roe* is overturned and the issue is handed back to the people to decide, women's voices on both sides of the debate will be strongly represented. The brief states: "Because of the substantial changes that even a minority of women bring to a legislative body, there is no longer a need — if there ever was — for this Court to assume that women cannot adequately protect their own interests through state political processes... Because women can now advance their own policy preferences in legislatures throughout the Nation, the Court can and should give greater deference to state legislators' judgments about how to regulate abortion within their states' borders."

Q: If *Roe* is overturned and you can pass laws to criminalize abortion, why do you think it's OK to impose your own religious beliefs on everyone else?

A: You do not have to be a religious person to believe that the unborn child developing in the womb is a person who is entitled to legal protection. It is a scientific and biological fact that life begins at conception. Sure, people's religious views can also come into play, believing that this life was created by God. But it's fundamentally a matter of science and biology. Show an ultrasound of an unborn child to a five-year-old and they'll tell you it's a child. And it's very doubtful they'd bring up a religious view in explaining why.

²⁰ <https://www.sba-list.org/negligence>

²¹ <https://journals.sagepub.com/doi/full/10.1177/23333928211053965>

²² https://www.supremecourt.gov/DocketPDF/19/19-1392/185586/20210803111413494_19-1392%20

[Brief%20of%20240%20Women%20Scholars%20et%20al%20In%20Support%20of%20Petitioners%20R EPLACEMENT%20COPIES.pdf](#)

²³ <https://s27319.pcdn.co/wp-content/uploads/2021/07/SBA-List-Final.pdf>

Q: Justice cannot be achieved until every person can make their own decisions about their bodies, their lives, and their futures. Why do you want to take a huge step backwards for women by taking away their autonomy?

A: The premise of the question only makes sense if the unborn child isn't a distinct, living human being. Basic biology tells us that the unborn child is a distinct person who should be entitled to the same freedom and future that you talked about. There are two lives at stake here, not one.

Q. It seems cruel to force a victim of rape or incest to carry her abuser's baby to term. Mississippi's 15-week limit does not have exceptions in these cases.

A: Rape and incest are horrific crimes and the perpetrators of these violent acts should be prosecuted to the fullest extent of the law. The value of human life is not determined by the circumstances of his or her conception and abortions carried out following these horrific crimes only compound the crisis that the mother is enduring. Abortion advances a cycle of violence forward on yet another innocent victim. For what other crime do we punish the child, let alone a vulnerable unborn baby, for the sin of one of his or her parents? We should also not assume that abortion is what survivors want. Estimates show that as many as 64% of women who become pregnant from rape already choose to keep and raise their babies (Shauna Prewitt, Georgetown Law Journal

24,25). They are courageous and deserve support, not stigma. Further, "Hard cases"

constitute a tiny minority of U.S. abortions – over 98% are elective/for socioeconomic reasons (Wm. Robert Johnston, 2016
26).

Q: The American College of Obstetricians and Gynecologists says a fetus isn't able to feel pain until 24 weeks gestation. Justice Sotomayor said fetal pain is only accepted by fringe scientists. Why do you want to take away a woman's right to health care based on fringe science?

ACOG is using outdated research. They ought to catch up with modern science that shows unborn children do feel pain at least by 15 weeks, if not earlier.

27 One of the world's top neuroscientists,

Dr. Stuart Derbyshire, was for many years considered a "leading voice against the likelihood of fetal pain"

28 and was on record rejecting the possibility of fetal pain prior to 24 weeks. Not only is

he not "fringe," he co-wrote one of the studies ACOG relies on to deny the science of fetal pain and his decade-old work is even cited in the abortion industry's *Dobbs* response brief.

29 What the

abortion lobby won't tell you is that, in response to growing evidence, he changed his mind and now he writes that fetal pain is possible "from as early as 12 weeks." Following the evidence is what science is all about.

24 [https://cga.ct.gov/2016/JUDdata/Tmy/2016HB-05605-R000314-Stacy,%20Nicole%20%20-](https://cga.ct.gov/2016/JUDdata/Tmy/2016HB-05605-R000314-Stacy,%20Nicole%20%20-%20Public%20Policy%20Assistant,%20Family%20Institute%20of%20Connecticut-TMY.PDF)

[%20Public%20Policy%20Assistant,%20Family%20Institute%20of%20Connecticut-TMY.PDF](https://cga.ct.gov/2016/JUDdata/Tmy/2016HB-05605-R000314-Stacy,%20Nicole%20%20-%20Public%20Policy%20Assistant,%20Family%20Institute%20of%20Connecticut-TMY.PDF)

25 <https://thoughtcatalog.com/gaby-dunn/2012/08/giving-birth-to-a-rapists-child-one-womans-story/>

26 <http://www.johnstonsarchive.net/policy/abortion/abreasons.html>

27 [https://lozierinstitute.org/the-acog-should-reconsider-fetal-pain/#:~:text=%20The%20ACOG%20](https://lozierinstitute.org/the-acog-should-reconsider-fetal-pain/#:~:text=%20The%20ACOG%20Should%20Reconsider%20Fetal%20Pain%20,and%20psychological%20experience%20that%20requires%20conscious...%20More%20)

[Should%20Reconsider%20Fetal%20Pain%20,and%20psychological%20experience%20that%20requires%20conscious...%20More%20](https://lozierinstitute.org/the-acog-should-reconsider-fetal-pain/#:~:text=%20The%20ACOG%20Should%20Reconsider%20Fetal%20Pain%20,and%20psychological%20experience%20that%20requires%20conscious...%20More%20)

28 <https://www.nytimes.com/2013/09/17/health/complex-science-at-issue-in-politics-of-fetal-pain.html>

29 https://www.supremecourt.gov/DocketPDF/19/19-1392/192267/20210913143126849_19-1392bs.pdf

Q: You are trying to take us backwards and make decisions that should be made between a

woman and her doctor. *Roe* has been the law for 50 years to protect women. Justice Kagan made the point that nothing has changed since then. Give me one reason we should take these rights away from women now.

A: The reality is that science and medicine have made tremendous advancements since 1973. Back then, sonogram images were made up of grainy, black and white dots – it was hard even to see major body parts clearly. Now, we have 4D ultrasound that makes it possible to see the baby smile, yawn, hiccup, suck his or her thumb, and even cry in response to a painful injection.

³⁰ We can know

if the baby will be right-handed or left-handed. Through advances in surgery, doctors can treat conditions like spina bifida right in the womb
³¹ – and the babies are treated as patients in their own

right and given anesthesia for their pain. Justice Kagan was right about one thing: the baby hasn't changed. We know he or she is a living human being. Thanks to modern technology, we simply know so much more about life and development before birth,
³² and it's time our laws reflected

this.

³⁰ 4D ultrasound video of a baby (third trimester) reacting to an injection of anesthetic prior to surgery in utero:

https://cdn-links.lww.com/permalink/pr9/a/pr9_2020_11_25_diandrade_painreports-d-20-0059_sdc1.mp4

³¹ <https://lozierinstitute.org/dive-deeper/fetal-surgery-treating-babies-before-they-are-born/>

³² <https://lozierinstitute.org/wp-content/uploads/2021/07/CLI-Dobbs-Amicus-Brief.pdf>

Message: SBA List + Andrew Bailey call

 SBA List + Andrew Bailey call

From bsanderson@threeoakgroup.com Date Wednesday, April 6, 2022 9:29:17 AM

To Bailey, Andrew; Brian Sanderson

Cc

Subject SBA List + Andrew Bailey call

Andrew – Below is the zoom link for the call on Friday. Thanks again – Brian.

From: SBilly@lozierinstitute.org

When: 10:30 AM - 11:00 AM April 8, 2022

Subject: SBA List + Andrew Bailey call

Location: <https://us06web.zoom.us/j/85345238792?pwd=dDc4R1ZiQVdYMjJHbmxQbGl5bkt6dz09>

Join Zoom Meeting

<https://us06web.zoom.us/j/85345238792?pwd=dDc4R1ZiQVdYMjJHbmxQbGl5bkt6dz09>

Meeting ID: 853 4523 8792

Passcode: 114812

One tap mobile

+13126266799,,85345238792# US (Chicago)

+19292056099,,85345238792# US (New York)

Message: Susan B. Anthony List Phone Call Request

☐ Susan B. Anthony List Phone Call Request

From Allee, Tammy Date Tuesday, April 12, 2022 8:27:14 AM

To 'parsoncalendar@gmail.com'; Willard, Aaron; Bailey, Andrew

Cc

Subject Susan B. Anthony List Phone Call Request

Message: Accepted: Susan B. Anthony List Phone Call Request

☐ Accepted: Susan B. Anthony List Phone Call Request

From Bailey, Andrew Date Tuesday, April 12, 2022 8:30:06 AM

To Allee, Tammy

Cc

Subject Accepted: Susan B. Anthony List Phone Call Request

Message: Accepted: Susan B. Anthony List Phone Call Request

☐ Accepted: Susan B. Anthony List Phone Call Request
From Bailey, Andrew Date Tuesday, April 12, 2022 8:30:05 AM
To G57
Cc
Subject Accepted: Susan B. Anthony List Phone Call Request

Message: RE: Dobbs material

 RE: Dobbs material

From Bailey, Andrew Date Monday, April 18, 2022 11:22:31 AM

To 'Brian Sanderson'

Cc

Subject RE: Dobbs material

 image001.png (35 Kb)

Brian,

I hope you and your family had a great Easter. After discussing the proposed phone call with Governor Parson, he would like to get that scheduled whenever you have available dates from your end. Just let me know if there is anything else we can do to help facilitate.

Respectfully,

Andrew Bailey

General Counsel

Office of Governor Michael L. Parson

(573) 751-2007



From: Brian Sanderson <bsanderson@threeoakgroup.com>

Sent: Tuesday, April 5, 2022 7:05 PM

To: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>

Subject: Re: Dobbs material

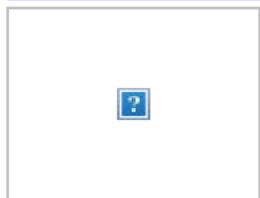
Awesome. Let's plan for 1030 a. Will send calendar invite shortly. Thanks again.

Brian W. Sanderson

President

[\(228\) 223-1922](tel:(228)223-1922)

bsanderson@threeoakgroup.com



On Apr 5, 2022, at 6:43 PM, Bailey, Andrew <Andrew.Bailey@governor.mo.gov> wrote:

Yes absolutely.

Sent from my iPhone

On Apr 5, 2022, at 6:00 PM, Brian Sanderson <bsanderson@threeoakgroup.com> wrote:

Andrew, would this Friday between 10:30 AM and 1 PM CT work for you to do the call with SBA List? Thanks - Brian

Brian W. Sanderson

President

[\(228\) 223-1922](tel:(228)223-1922)

bsanderson@threeoakgroup.com



On Apr 5, 2022, at 2:35 PM, Brian Sanderson <bsanderson@threeoakgroup.com> wrote:

Andrew,

Thanks for your time this afternoon. Please find attached a couple of documents that should be helpful in advance of our call. I'll have some time windows to you shortly.
Thanks again – Brian

Brian W. Sanderson

Message: Re: Dobbs material

 Re: Dobbs material

From Brian Sanderson Date Monday, April 18, 2022 11:28:20 AM

To Bailey, Andrew

Cc

Subject Re: Dobbs material

 image001.png (35 Kb)  image002.png (43 Kb)

Terrific. Thanks so much, Andrew. We had a really good Easter and trust you did as well. I'll have some dates/times to you shortly. Many thanks. – Brian

Brian W. Sanderson



From: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>

Date: Monday, April 18, 2022 at 11:22 AM

To: Brian Sanderson <bsanderson@threeoakgroup.com>

Subject: RE: Dobbs material

Brian,
I hope you and your family had a great Easter. After discussing the proposed phone call with Governor Parson, he would like to get that scheduled whenever you have available dates from your end. Just let me know if there is anything else we can do to help facilitate.

Respectfully,

Andrew Bailey

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From: Brian Sanderson <bsanderson@threeoakgroup.com>

Sent: Tuesday, April 5, 2022 7:05 PM

To: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>

Subject: Re: Dobbs material

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MO-GOV-23-0463-A-000052

Awesome. Let's plan for 1030 a. Will send calendar invite shortly. Thanks again.

Brian W. Sanderson

President

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bsanderson@threeoakgroup.com



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bsanderson@threeoakgroup.com



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Thanks again – Brian

Brian W. Sanderson

Message: Re: Dobbs material

 Re: Dobbs material

From Brian Sanderson Date Thursday, April 21, 2022 7:58:39 AM

To Bailey, Andrew

Cc

Subject Re: Dobbs material

 image001.png (35 Kb)  image002.png (43 Kb)

Andrew,

Good morning. Would any of these dates/time work for a 15 minute call with Gov. Parson? I'm happy to work with his scheduler if easier on you. Thanks – Brian

April 29th: 3:30-5:30pm EDT

May 3rd: 4:00-5:00pm EDT

May 11th: 11:00-12:00pm, 3:00-5:00pm EDT

Brian W. Sanderson



From: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>

Date: Monday, April 18, 2022 at 11:22 AM

To: Brian Sanderson <bsanderson@threeoakgroup.com>

Subject: RE: Dobbs material

Brian,
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Respectfully,

Andrew Bailey

General Counsel

Office of Governor Michael L. Parson

(573) 751-2007



From: Brian Sanderson <bsanderson@threeoakgroup.com>
Sent: Tuesday, April 5, 2022 7:05 PM
To: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>
Subject: Re: Dobbs material

Awesome. Let's plan for 1030 a. Will send calendar invite shortly. Thanks again.

Brian W. Sanderson

President

[\(228\) 223-1922](tel:(228)223-1922)

bsanderson@threeoakgroup.com



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President

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bsanderson@threeoakgroup.com



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Brian W. Sanderson

THREE OAK GROUP

Message: RE: Dobbs material

 RE: Dobbs material

From Bailey, Andrew Date Thursday, April 21, 2022 9:04:45 AM

To 'Brian Sanderson'

Cc Allee, Tammy

Subject RE: Dobbs material

 image003.png (35 Kb)  image004.png (10 Kb)  image005.png (35 Kb)

Brian,

May 11, 2022 from 11:30 – 11:45 EDT (10:30 – 10:45 central time) works great on this end. I have it on the Governor's calendar and we are excited about the call. Will you provide a call in number? Is there anything further I can do to help facilitate? I have included the Governor's scheduler on this email as well.

Respectfully,

Andrew Bailey

General Counsel

Office of Governor Michael L. Parson

(573) 751-2007



From: Brian Sanderson <bsanderson@threeoakgroup.com>

Sent: Thursday, April 21, 2022 7:59 AM

To: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>

Subject: Re: Dobbs material

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Brian W. Sanderson



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Date: Monday, April 18, 2022 at 11:22 AM

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Subject: RE: Dobbs material

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To: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>

Subject: Re: Dobbs material

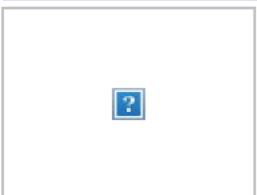
Awesome. Let's plan for 1030 a. Will send calendar invite shortly. Thanks again.

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Thanks again – Brian

Brian W. Sanderson

Message: Re: Dobbs material

 Re: Dobbs material

From Brian Sanderson Date Thursday, April 21, 2022 9:08:48 AM

To Bailey, Andrew

Cc Allee, Tammy

Subject Re: Dobbs material

 image003.png (35 Kb)  image004.png (10 Kb)  image005.png (35 Kb)  image003.png (35 Kb) 
image004.png (10 Kb)  image005.png (35 Kb)

Thanks so much Andrew and Tammy. We will send a conference line shortly. Thanks again.

Brian W. Sanderson

President

[\(228\) 223-1922](tel:(228)223-1922)

bsanderson@threeoakgroup.com

signature_173691054



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image003.png



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Subject: Re: Dobbs material

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May 11th: 11:00-12:00pm, 3:00-5:00pm EDT

Brian W. Sanderson

image004.png



From: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>

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To: Brian Sanderson <bsanderson@threeoakgroup.com>

Subject: RE: Dobbs material

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image005.png



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To: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>

Subject: Re: Dobbs material

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Brian W. Sanderson

Message: Re: Dobbs material

 Re: Dobbs material

From Brian Sanderson Date Friday, April 22, 2022 8:59:19 AM

To Bailey, Andrew

Cc Allee, Tammy

Subject Re: Dobbs material

 image001.png (43 Kb)  image003.png (35 Kb)  image004.png (10 Kb)  image005.png (35 Kb)

Andrew and Tammy,

Please see below the call in information for the call on May 11. Please let me know if you need anything else at this time. Thanks again – Brian

Gov. Parson - MO, Gov. Christie & SBA List Conference Call

Wednesday, May 11, 2022

11:30 AM EDT

Conference Line: **866-803-5495**

Brian W. Sanderson



From: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>

Date: Thursday, April 21, 2022 at 9:04 AM

To: Brian Sanderson <bsanderson@threeoakgroup.com>

Cc: Allee, Tammy <Tammy.Alee@governor.mo.gov>

Subject: RE: Dobbs material

Brian,
May 11, 2022 from 11:30 – 11:45 EDT (10:30 – 10:45 central time) works great on this end. I have it on the Governor's calendar and we are excited about the call. Will you provide a call in number? Is there anything further I can do to help facilitate? I have included the Governor's scheduler on this email as well.

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Andrew Bailey

General Counsel

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To: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>
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Brian W. Sanderson



From: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>
Date: Monday, April 18, 2022 at 11:22 AM
To: Brian Sanderson <bsanderson@threeoakgroup.com>
Subject: RE: Dobbs material

Brian,

I hope you and your family had a great Easter. After discussing the proposed phone call with Governor Parson, he would like to get that scheduled whenever you have available dates from your end. Just let me know if there is anything else we can do to help facilitate.

Respectfully,

Andrew Bailey
General Counsel
Office of Governor Michael L. Parson
(573) 751-2007



From: Brian Sanderson <bsanderson@threeoakgroup.com>
Sent: Tuesday, April 5, 2022 7:05 PM
To: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>
Subject: Re: Dobbs material

Awesome. Let's plan for 1030 a. Will send calendar invite shortly. Thanks again.

Brian W. Sanderson

President

[\(228\) 223-1922](tel:(228)223-1922)

bsanderson@threeoakgroup.com



On Apr 5, 2022, at 6:43 PM, Bailey, Andrew <Andrew.Bailey@governor.mo.gov> wrote:

Yes absolutely.

Sent from my iPhone

On Apr 5, 2022, at 6:00 PM, Brian Sanderson <bsanderson@threeoakgroup.com> wrote:

Andrew, would this Friday between 10:30 AM and 1 PM CT work for you to do the call with SBA List? Thanks - Brian

Brian W. Sanderson

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On Apr 5, 2022, at 2:35 PM, Brian Sanderson <bsanderson@threeoakgroup.com> wrote:

Andrew,

Thanks for your time this afternoon. Please find attached a couple of documents that should be helpful in advance of our call. I'll have some time windows to you shortly.
Thanks again – Brian

Brian W. Sanderson

Message: SBA List - Messaging Point - Leaked Dobbs draft

 SBA List - Messaging Point - Leaked Dobbs draft

From Brian Sanderson Date Tuesday, May 3, 2022 11:35:43 AM

To Brian Sanderson

Cc 

Subject SBA List - Messaging Point - Leaked Dobbs draft

 TPs Leaked Dobbs Draft Opinion[25].pdf (72 Kb)  Dobbs Messaging Guide[46].pdf (611 Kb)

Friends,

In light of the leaked, draft opinion in the *Dobbs* case, I wanted to share with you the attached messaging points crafted by the Susan B. Anthony List for your awareness. SBA List's press release is here: <https://www.sba-list.org/home/sba-list-reaction-to-draft-supreme-court-decision-on-dobbs>.

-
Please do not hesitate to reach out to me if we can answer any questions or provide any other resources. Thank you – Brian

Brian W. Sanderson

President

Three Oak Group

[\(228\) 223-1922](tel:(228)223-1922)

Talking Points – Leaked Draft of *Dobbs* Decision Overturning *Roe*

If the draft opinion holds, the outcome is that the American people will be able to decide the issue of abortion through their elected officials in the states in Congress. *Roe* puts unelected judges in charge of abortion policy. Abortion laws should be debated and decided by the American people, not dictated by judges.

The pro-abortion lobby and the Democratic Party want to impose on the entire country abortion on-demand, even painful late-term abortions, up until the moment of birth, paid for by the taxpayer. Leading Washington Democrats are already calling to abolish the legislative filibuster in the Senate so they can pass legislation mandating abortion on-demand nationwide. Contrast this with the prolife movement and the GOP who embrace letting the people debate and building consensus for pro-life protections.

The humanity of the unborn child is undeniable thanks to advances in modern medicine and science. At six weeks, an unborn child has a beating heart and by 15 weeks unborn children can suck their thumbs, have fully formed noses and lips,

eyes and eyebrows, and they can feel excruciating pain. These children deserve a voice in the American democratic process.

The pro-life movement stands strongly in support of providing the resources necessary for mothers to embrace life. This is demonstrated by the more than 2,700 pregnancy care centers across the country that serve millions of people annually, and government programs like the Texas Alternatives to Abortion Program, which provides counseling, material assistance, care coordination, and housing support with a \$100 million annual budget.

Four Top Messages

SBA List has conducted extensive polling, message testing, and focus groups. From this research, we've developed four key messages:

Focus on the humanity of the unborn child at 15 weeks, especially the child's developmental features and ability to feel excruciating pain – all proven by modern medicine and science.

1

- Thanks to advances in modern medicine and science, the humanity of a 15-week-old child in the womb is undeniable.
- Children at this stage have fully formed noses and lips, eyelids and eyebrows; they can suck their thumbs, and can even feel pain.

2

- *Roe* is based on outdated science. It's time for the courts to allow the law to catch up.

Emphasize that the likely outcome in *Dobbs* will be to allow the American people to debate this issue through their elected representatives – NOT a complete nationwide ban on abortion. Elected officials rather than unelected judges will set abortion policy based on where consensus is found.

- *Roe* puts unelected judges in charge of abortion policy. Abortion laws should be debated and decided by the American people, not dictated by judges. *Roe* imposes a one-size-fitsall legal system that leaves Americans without a voice.

- Overturning *Roe* gets the courts out of the abortion business and allows Americans to have a discussion and come to consensus through their elected officials. Consensus will look different in different places.

Hammer Democrats for their extremist position in favor of abortion on demand, even painful late-term abortions when the child can feel excruciating pain.

- Politicians who support *Roe* support court-imposed abortion on demand up until the moment of birth.

3 They oppose allowing Americans to even debate the issue through their

¹ <https://lozierinstitute.org/15-facts-at-15-weeks/>

² voyageoflife.com

³ <https://www.nationalreview.com/corner/supporting-roe-means-supporting-abortion-until-birth/>

⁴ <https://www.sba-list.org/hyde>

⁵ <https://www.nationalreview.com/corner/virginia-governor-defends-letting-infants-die/>

⁶ <https://www.sba-list.org/newsroom/press-releases/pro-life-leaders-launch-discharge-petition-to-push-for-a->

[vote- on-born-alive-protections-for-babies](#)

⁷ <https://www.kofc.org/en/news-room/polls/americans-support-legal-limits-on-abortion.html>

elected representatives. These same politicians support taxpayer funding of abortion

⁴ and

even infanticide.

^{5,6} They are way out of step with the American people.

- 71% of Americans support significant limits on abortion

⁷ and most Americans would prefer

that the people set abortion policy through their elected officials, not unelected judges.

⁸

- Because of *Roe* and *Casey*, the United States is more in line with China and North Korea when it comes to abortion policy.

⁹ Even in progressive Europe, 47 out of 50 countries have

limits on abortion prior to 15 weeks.

¹⁰

Demonstrate that the pro-life movement cares not only about the unborn child, but about the mother as well, and providing the resources necessary for her to choose life.

- The pro-life movement cares not only about the unborn child, but also for vulnerable mothers.

- This is demonstrated by the more than 2,700 pregnancy care centers nationwide that serve millions of people annually.

¹¹

- It is also demonstrated by government-funded programs like the Texas Alternatives to Abortion program

¹² – with a \$100 million annual budget

¹³ – that provide counseling, material

assistance, care coordination, and housing support.

Q&A – Answering Tough Questions

Q: If *Roe* is overturned, do you want to see all abortions made illegal?

A: Unborn children and mothers should be protected under the law. If *Roe* is overturned, the issue is returned to the people to decide it through their elected representatives in Congress and in the

states. We should save as many children as we can under the law based on where consensus is found, and work toward the day when all children and mothers are protected. That won't happen overnight, but reversing *Roe* begins the process of the people being able to act to protect life.

Q: If *Roe* is overturned and abortion is criminalized, how would you enforce it? Who should be punished under the law? The doctor? The mother? Both?

A: The pro-life movement believes that in every abortion there are two victims: the mother and the child. The mother should always be held harmless under the law. The abortionist who performed the illegal abortion should be punished, not the mother.

Q: Poll after poll shows the majority of Americans do not want to see *Roe* overturned. You talk a lot about letting the people have a say, but isn't it clear most Americans prefer the status quo of the *Roe* decision?

A: Any poll asking just about *Roe* is superficial. Polling conducted for SBA List shows a third of American voters believe *Roe* only allows for abortions during the first trimester, and another third

⁸ <https://www.sba-list.org/polling#scotus>

⁹ <https://www.washingtonpost.com/news/fact-checker/wp/2017/10/09/is-the-united-states-one-of-seven-coun>

[tries- that-allow-elective-abortion-after-20-weeks-of-pregnancy/](tries-that-allow-elective-abortion-after-20-weeks-of-pregnancy/)

¹⁰ <https://lozierinstitute.org/comparing-mississippi-limit-with-european-laws/>

¹¹ <https://lozierinstitute.org/pregnancy-center-reports/>

¹² <https://www.hhs.texas.gov/services/health/women-children/alternatives-abortion>

¹³ <https://lozierinstitute.org/alternatives-to-abortion-programs-support-for-mothers-and-families/>

of voters say they don't know when *Roe* limits abortions, if at all. Only 20% of voters correctly identified *Roe* as allowing for abortions up until birth. There are plenty of polls that demonstrate the American people, even many who identify as pro-choice, reject abortion on demand until birth

¹⁴ and support limits.

¹⁵ Further, polling also demonstrates that most Americans prefer that their

elected representatives, not unelected judges, determine abortion policy.

¹⁶

Q: If *Roe* is overturned and pro-life states ban abortion, the impact is going to be hardest on poor women, especially poor women of color who cannot afford to travel out of state to get an abortion. Why are you advocating for laws that will hurt poor people of color?

It is a travesty that abortion disproportionately impacts people of color and has done so for decades.

¹⁷ America is better than that. The pro-life movement believes in the dignity of all people,

regardless of race or income. If *Roe* is overturned and unborn children can be protected, we will be able to save these vulnerable children. That should be celebrated. The pro-life movement stands ready to support these moms who no longer have access to abortion. The pro-life movement has been serving women and families for the past 50 years through existing networks like America's 2,700 pregnancy centers that provide vital services to millions of people each year at virtually no cost.

¹⁸ Programs like Her PLAN (Pregnancy and Life Assistance Network)
¹⁹ have

launched to identify and fill gaps in the safety net across states so that the needs of mothers and babies are met.

Q: Why is your side insistent on telling a woman what to do with her body, yet when it comes to COVID-19 which has killed millions of people, your side resists vaccine mandates that can save lives under the same premise of individual liberty? Your side is effectively saying “my body, my choice” when it comes to vaccines. Isn’t that hypocritical and inconsistent with being “pro-life?”

A: You’re comparing apples and oranges. With the COVID-19 vaccine, you’re talking about a vaccine meant to protect against illness. When you’re talking about abortion, you’re talking about a procedure that is considered successful when it results in the death of an unborn child. The goal of an abortion is to deliver a dead baby. When refusing a vaccine, death is not the goal, and it doesn’t mean precautions aren’t being taken elsewhere to protect oneself and others from serious illness. There are many reasons for vaccine reluctance, but none of those reasons involves intentionally causing the death of another human being.

Q: Won’t the overturning of *Roe* cause women turn to “back alley” abortions that could kill them?

A: The pro-life movement cares deeply about the health, safety and well-being of women. The reality is that currently under *Roe*, abortion is not safe for either unborn children or their mothers.

¹⁴ <https://www.sba-list.org/polling>

¹⁵ <https://www.kofc.org/en/news-room/polls/americans-support-legal-limits-on-abortion.html>

¹⁶ SBA List/MacLaughlin & Associates, July 2018

¹⁷ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7436774/>

¹⁸ <https://lozierinstitute.org/pro-life-pregnancy-centers-served-2-million-people-with-essential-medical-education-and-support-services-in-2019/>
¹⁹ <https://herplan.org/>

Abortion in many states is vastly unregulated, leading to horrific conditions in facilities like those of Kermit Gosnell and severe injury or even death at the hands of incompetent so-called doctors like Steven Chase Brigham, Leroy Carhart, and many others.

²⁰ Further, a recent study reviewing

abortions that were paid for by state Medicaid funds found that for every 100 abortions performed, there were 35 ER visits for abortion complications.

²¹ We must do everything we can as

a society – both the public and private sector – so that mothers never reach a point of desperation where they feel the need to seek an illegal abortion. There should be bipartisan consensus on that point, regardless of how one feels about abortion.

Q: Won’t overturning *Roe* set back women’s rights and equality to men? Women have come to rely on reproductive freedom to advance economically and achieve their dreams.

The pro-life movement rejects the false and paternalistic argument that women have meaningful

lives only because seven male justices in *Roe* invented a “right” to abortion in 1973. As a legal brief filed in *Dobbs* authored by 240 female scholars and professionals
22 argues, *Roe* has had no

impact on women’s equality in American society: “Even a cursory review of history reveals that the expansion of opportunities for women – as well as their increased participation in political, social, and economic spheres – predated *Roe*.” Further, another brief filed by pro-life women legislators representing nearly every state in the country

23 demonstrated how women’s representation

in public office has soared since 1973. It also demonstrated that women in public office are representing both sides of the abortion debate. If *Roe* is overturned and the issue is handed back to the people to decide, women’s voices on both sides of the debate will be strongly represented. The brief states: “Because of the substantial changes that even a minority of women bring to a legislative body, there is no longer a need — if there ever was — for this Court to assume that women cannot adequately protect their own interests through state political processes... Because women can now advance their own policy preferences in legislatures throughout the Nation, the Court can and should give greater deference to state legislators’ judgments about how to regulate abortion within their states’ borders.”

Q: If *Roe* is overturned and you can pass laws to criminalize abortion, why do you think it’s OK to impose your own religious beliefs on everyone else?

A: You do not have to be a religious person to believe that the unborn child developing in the womb is a person who is entitled to legal protection. It is a scientific and biological fact that life begins at conception. Sure, people’s religious views can also come into play, believing that this life was created by God. But it’s fundamentally a matter of science and biology. Show an ultrasound of an unborn child to a five-year-old and they’ll tell you it’s a child. And it’s very doubtful they’d bring up a religious view in explaining why.

20 <https://www.sba-list.org/negligence>

21 <https://journals.sagepub.com/doi/full/10.1177/23333928211053965>

22 [https://www.supremecourt.gov/DocketPDF/19/19-1392/185586/20210803111413494_19-1392%20](https://www.supremecourt.gov/DocketPDF/19/19-1392/185586/20210803111413494_19-1392%20Brief%20of%20240%20Women%20Scholars%20et%20al%20In%20Support%20of%20Petitioners%20REPLACEMENT%20COPIES.pdf)

[Brief%20of%20240%20Women%20Scholars%20et%20al%20In%20Support%20of%20Petitioners%20REPLACEMENT%20COPIES.pdf](https://www.supremecourt.gov/DocketPDF/19/19-1392/185586/20210803111413494_19-1392%20Brief%20of%20240%20Women%20Scholars%20et%20al%20In%20Support%20of%20Petitioners%20REPLACEMENT%20COPIES.pdf)

23 <https://s27319.pcdn.co/wp-content/uploads/2021/07/SBA-List-Final.pdf>

Q: Justice cannot be achieved until every person can make their own decisions about their bodies, their lives, and their futures. Why do you want to take a huge step backwards for women by taking away their autonomy?

A: The premise of the question only makes sense if the unborn child isn’t a distinct, living human being. Basic biology tells us that the unborn child is a distinct person who should be entitled to the same freedom and future that you talked about. There are two lives at stake here, not one.

Q. It seems cruel to force a victim of rape or incest to carry her abuser’s baby to term. Mississippi’s 15-week limit does not have exceptions in these cases.

A: Rape and incest are horrific crimes and the perpetrators of these violent acts should be prosecuted to the fullest extent of the law. The value of human life is not determined by the circumstances of his or her conception and abortions carried out following these horrific crimes only compound the crisis that the mother is enduring. Abortion advances a cycle of violence

forward on yet another innocent victim. For what other crime do we punish the child, let alone a vulnerable unborn baby, for the sin of one of his or her parents? We should also not assume that abortion is what survivors want. Estimates show that as many as 64% of women who become pregnant from rape already choose to keep and raise their babies (Shauna Prewitt, Georgetown Law Journal

24,25). They are courageous and deserve support, not stigma. Further, “Hard cases”

constitute a tiny minority of U.S. abortions – over 98% are elective/for socioeconomic reasons (Wm. Robert Johnston, 2016 26).

Q: The American College of Obstetricians and Gynecologists says a fetus isn’t able to feel pain until 24 weeks gestation. Justice Sotomayor said fetal pain is only accepted by fringe scientists. Why do you want to take away a woman’s right to health care based on fringe science?

ACOG is using outdated research. They ought to catch up with modern science that shows unborn children do feel pain at least by 15 weeks, if not earlier.

27 One of the world’s top neuroscientists,

Dr. Stuart Derbyshire, was for many years considered a “leading voice against the likelihood of fetal pain”

28 and was on record rejecting the possibility of fetal pain prior to 24 weeks. Not only is

he not “fringe,” he co-wrote one of the studies ACOG relies on to deny the science of fetal pain and his decade-old work is even cited in the abortion industry’s *Dobbs* response brief.

29 What the

abortion lobby won’t tell you is that, in response to growing evidence, he changed his mind and now he writes that fetal pain is possible “from as early as 12 weeks.” Following the evidence is what science is all about.

24 [https://cga.ct.gov/2016/JUDdata/Tmy/2016HB-05605-R000314-Stacy,%20Nicole%20%20-](https://cga.ct.gov/2016/JUDdata/Tmy/2016HB-05605-R000314-Stacy,%20Nicole%20%20-%20Public%20Policy%20Assistant,%20Family%20Institute%20of%20Connecticut-TMY.PDF)

[https://cga.ct.gov/2016/JUDdata/Tmy/2016HB-05605-R000314-Stacy,%20Nicole%20%20-](https://cga.ct.gov/2016/JUDdata/Tmy/2016HB-05605-R000314-Stacy,%20Nicole%20%20-%20Public%20Policy%20Assistant,%20Family%20Institute%20of%20Connecticut-TMY.PDF)

25 <https://thoughtcatalog.com/gaby-dunn/2012/08/giving-birth-to-a-rapists-child-one-womans-story/>

26 <http://www.johnstonsarchive.net/policy/abortion/abreasons.html>

27 [https://lozierinstitute.org/the-acog-should-reconsider-fetal-pain/#:~:text=%20The%20ACOG%20](https://lozierinstitute.org/the-acog-should-reconsider-fetal-pain/#:~:text=%20The%20ACOG%20Should%20Reconsider%20Fetal%20Pain%20,and%20psychological%20experience%20that%20requires%20conscious...%20More%20)

[Should%20Reconsider%20Fetal%20Pain%20,and%20psychological%20experience%20that%20requires%20conscious...%20More%20](https://lozierinstitute.org/the-acog-should-reconsider-fetal-pain/#:~:text=%20The%20ACOG%20Should%20Reconsider%20Fetal%20Pain%20,and%20psychological%20experience%20that%20requires%20conscious...%20More%20)

28 <https://www.nytimes.com/2013/09/17/health/complex-science-at-issue-in-politics-of-fetal-pain.html>

29 https://www.supremecourt.gov/DocketPDF/19/19-1392/192267/20210913143126849_19-1392bs.pdf

Q: You are trying to take us backwards and make decisions that should be made between a woman and her doctor. *Roe* has been the law for 50 years to protect women. Justice Kagan made the point that nothing has changed since then. Give me one reason we should take these rights away from women now.

A: The reality is that science and medicine have made tremendous advancements since 1973. Back then, sonogram images were made up of grainy, black and white dots – it was hard even to see major body parts clearly. Now, we have 4D ultrasound that makes it possible to see the baby smile,

yawn, hiccup, suck his or her thumb, and even cry in response to a painful injection.

³⁰ We can know

if the baby will be right-handed or left-handed. Through advances in surgery, doctors can treat conditions like spina bifida right in the womb

³¹ – and the babies are treated as patients in their own

right and given anesthesia for their pain. Justice Kagan was right about one thing: the baby hasn't changed. We know he or she is a living human being. Thanks to modern technology, we simply know so much more about life and development before birth,

³² and it's time our laws reflected

this.

³⁰ 4D ultrasound video of a baby (third trimester) reacting to an injection of anesthetic prior to surgery in utero:

https://cdn-links.lww.com/permalink/pr9/a/pr9_2020_11_25_diandrade_painreports-d-20-0059_sdc1.mp4

³¹ <https://lozierinstitute.org/dive-deeper/fetal-surgery-treating-babies-before-they-are-born/>

³² <https://lozierinstitute.org/wp-content/uploads/2021/07/CLI-Dobbs-Amicus-Brief.pdf>

Message: Re: Dobbs material

 Re: Dobbs material

From Brian Sanderson Date Tuesday, May 10, 2022 8:55:34 AM

To Bailey, Andrew

Cc Allee, Tammy

Subject Re: Dobbs material

 image001.png (43 Kb)  image003.png (35 Kb)  image004.png (10 Kb)  image005.png (35 Kb)

Andrew and Tammy,

Good morning. Just wanted to check in with you to see if you needed anything in advance of tomorrow's call with the governor. Thank you for your help. - Brian Sanderson

Brian W. Sanderson

President

Three Oak Group

(228) 223-1922

On Apr 22, 2022, at 8:59 AM, Brian Sanderson <bsanderson@threeoakgroup.com> wrote:

Andrew and Tammy,

Please see below the call in information for the call on May 11. Please let me know if you need anything else at this time. Thanks again – Brian

Gov. Parson - MO, Gov. Christie & SBA List Conference Call

Wednesday, May 11, 2022

11:30 AM EDT

Conference Line: **866-803-5495**

Brian W. Sanderson

<image001.png>

From: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>

Date: Thursday, April 21, 2022 at 9:04 AM

To: Brian Sanderson <bsanderson@threeoakgroup.com>

Cc: Allee, Tammy <Tammy.Alee@governor.mo.gov>

Subject: RE: Dobbs material

Brian,

May 11, 2022 from 11:30 – 11:45 EDT (10:30 – 10:45 central time) works great

on this end. I have it on the Governor's calendar and we are excited about the call. Will you provide a call in number? Is there anything further I can do to help facilitate? I have included the Governor's scheduler on this email as well.

Respectfully,

Andrew Bailey

General Counsel

Office of Governor Michael L. Parson

(573) 751-2007

<image003.png>

From: Brian Sanderson <bsanderson@threeoakgroup.com>

Sent: Thursday, April 21, 2022 7:59 AM

To: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>

Subject: Re: Dobbs material

Andrew,

Good morning. Would any of these dates/time work for a 15 minute call with Gov. Parson? I'm happy to work with his scheduler if easier on you. Thanks – Brian

April 29th: 3:30-5:30pm EDT

May 3rd: 4:00-5:00pm EDT

May 11th: 11:00-12:00pm, 3:00-5:00pm EDT

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<image004.png>

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From Allee, Tammy Date Tuesday, May 10, 2022 8:57:51 AM

To 'Brian Sanderson';Bailey, Andrew;Rodriguez, Evan

Cc

Subject RE: Dobbs material

Good morning Brian – Andrew is out today so I'm including Evan Rodriguez, Deputy General Counsel on this e-mail to respond. We do have it on the Governor's calendar. Thank you.

Tammy Allee

Executive Assistant/Scheduler

Missouri Governor *Michael L. Parson*

(573) 751-3222

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Good morning. Would any of these dates/time work for a 15 minute call with Gov. Parson? I'm happy to work with his scheduler if easier on you. Thanks – Brian

April 29th: 3:30-5:30pm EDT

May 3rd: 4:00-5:00pm EDT

May 11th: 11:00-12:00pm, 3:00-5:00pm EDT

Brian W. Sanderson

<image004.png>

From: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>

Date: Monday, April 18, 2022 at 11:22 AM

To: Brian Sanderson <bsanderson@threeoakgroup.com>

Subject: RE: Dobbs material

Brian,

I hope you and your family had a great Easter. After discussing the proposed phone call with Governor Parson, he would like to get that scheduled whenever you have available dates from your end. Just let me know if there is anything else we can do to help facilitate.

Respectfully,

Andrew Bailey

General Counsel

Office of Governor Michael L. Parson

(573) 751-2007

<image005.png>

From: Brian Sanderson <bsanderson@threeoakgroup.com>

Sent: Tuesday, April 5, 2022 7:05 PM

To: Bailey, Andrew <Andrew.Bailey@governor.mo.gov>

Subject: Re: Dobbs material

Awesome. Let's plan for 1030 a. Will send calendar invite shortly. Thanks again.

Brian W. Sanderson

President

[\(228\) 223-1922](tel:(228)223-1922)

bsanderson@threeoakgroup.com



On Apr 5, 2022, at 6:43 PM, Bailey, Andrew <Andrew.Bailey@governor.mo.gov> wrote:

Yes absolutely.

Sent from my iPhone

On Apr 5, 2022, at 6:00 PM, Brian Sanderson <bsanderson@threeoakgroup.com> wrote:

Andrew, would this Friday between 10:30 AM and 1 PM CT work for you to do the call with SBA List? Thanks - Brian

Brian W. Sanderson

President

[\(228\) 223-1922](tel:(228)223-1922)

bsanderson@threeoakgroup.com



On Apr 5, 2022, at 2:35 PM, Brian Sanderson
<bsanderson@threeoakgroup.com> wrote:

Andrew,

Thanks for your time this afternoon. Please find attached a couple of documents that should be helpful in advance of our call. I'll have some time windows to you shortly. Thanks again – Brian

Brian W. Sanderson

Message: Follow-up Materials

 Follow-up Materials

From Brian Sanderson Date Thursday, May 12, 2022 9:30:55 AM

To Bailey, Andrew;Rodriguez, Evan

Cc

Subject Follow-up Materials

 image001.png (43 Kb)

Andrew and Evan,

Many thanks for your help in coordinating the terrific call yesterday. We all found it very useful and productive. Please find below a few links that would be helpful as a followup to the call. If either of you would like to have another conversation on any of the details discussed, please let me know. Thank you – Brian

[The Voyage of Life - Charlotte Lozier Institute](#)

[About - Her PLAN](#)

[Justice Sotomayor Is Wrong: Fetal Pain Is Not 'Fringe Science' - Charlotte Lozier Institute](#)

[The Science Behind Embryonic Heartbeats - A Fact Sheet - Charlotte Lozier Institute](#)

[Supreme Court Considers Abortion Law - Susan B. Anthony List \(sba-list.org\)](#)

Brian W. Sanderson

President

Three Oak Group

(228) 223-1922

bsanderson@threeoakgroup.com



THREE OAR GROUP

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[Supreme Court Considers Abortion Law - Susan B. Anthony List \(sba-list.org\)](#)

Brian W. Sanderson

President

Three Oak Group

(228) 223-1922

bsanderson@threeoakgroup.com



THREE OAR GROUP

Message: Fwd: America First Policy Institute Pro-Life Research

 Fwd: America First Policy Institute Pro-Life Research

From Willard, Aaron Date Tuesday, June 21, 2022 12:36:14 PM

To Bailey, Andrew;Hahn, Kayla;Jones, Kelli

Cc

Subject Fwd: America First Policy Institute Pro-Life Research

 image002.gif (81 Kb)  image003.png (1 Kb)  image004.png (2 Kb)  image005.png (2 Kb)  image006.png (1 Kb)  image007.png (1 Kb)

FYSA

Sent from my iPhone

Begin forwarded message:

From: Miles Johnson <mjohnson@americafirstpolicy.com>

Date: June 17, 2022 at 3:15:04 PM CDT

To: Miles Johnson <mjohnson@americafirstpolicy.com>

Cc: Renee Hudson <rhudson@americafirstpolicy.com>

Subject: America First Policy Institute Pro-Life Research

Good afternoon,

Ahead of the impending Dobbs decisions from the U.S. Supreme Court, the America First Policy Institute has released several pro-life op-eds and research papers that we wanted to share with you. Please let us know if you would like to connect with any of the listed policy experts.

- [Research Paper](#): Who Are The Real Abortion Radicals? A Comparative Perspective. By Pastor Paula White-Cain, Heidi Overton, M.D., Ph.D., Kristen Ziccarrelli, and Garrison Grisedale
- [Research Paper](#): The Left's Abortion Radicalism in Action: Attacks on Pregnancy Resource Centers Across America. By Kristen Ziccarrelli and Garrison Grisedale
- [Op-ed](#): Radical Abortion Policies Do Not 'Follow the Science,' Or The American Conscience. By Heidi Overton, M.D., Ph.D.—The Daily Caller
- [Op-ed](#): Abortion Ruling a Reminder that Civil Rights Begin in the Womb. By Dr. Alveda King—Fox News

Best,

Miles

image002.gif



MILES JOHNSON

Government Affairs Manager

662-791-9160



[AMERICAFIRSTPOLICY.COM](https://www.americafirstpolicy.com)

AFPI

Message: Historic Victory: Roe Overturned, Ending Half a Century of Abortion on Demand

 Historic Victory: Roe Overturned, Ending Half a Century of Abortion on Demand
From Brian Sanderson Date Friday, June 24, 2022 10:05:06 AM
To Brian Sanderson
Cc @sbaprofite.org
Subject Historic Victory: Roe Overturned, Ending Half a Century of Abortion on Demand
 Dobbs Top Messages.pdf (165 Kb)  Dobbs Hostile Q&A.pdf (126 Kb)

Friends,

Good morning. Please see below the statement from Susan B. Anthony Pro-Life on today's historic decision. Also attached are the updated messaging docs which includes 1) **top messages doc** and 2) the **Q&A rebuttal doc**.  video outside of SCOTUS can be viewed here: <https://www.youtube.com/watch?v=ZgZLB8HkLcA>

Please do not hesitate to reach out if you have specific questions or resource requests in the coming days.



FOR IMMEDIATE RELEASE: June 24, 2022 | [LINK](#)

Contact: , @sbalist.org

Historic Victory: *Roe* Overturned, Ending Half a Century of Abortion on Demand

Dannenfelser: The Pro-life Movement's Work Is Just Beginning; SCOTUS Decision Raises the Stakes of Midterm Elections

Washington, D.C. – Susan B. Anthony Pro-Life America celebrated a landmark victory today as the U.S. Supreme Court issued its final [decision](#) in *Dobbs v. Jackson Women's Health Organization* – upholding Mississippi's law limiting abortion at 15 weeks, overturning *Roe v. Wade*, and restoring the right to protect unborn children and their mothers to the people.

"Today marks an historic human rights victory for unborn children and their mothers and a bright pro-life future for our nation," said SBA Pro-Life America President . "Today the Supreme Court, in line with [modern science](#) and overwhelming public consensus, recognized the truth in every mother's heart and

AMERICAN
OVERSIGHT

MO-GOV-23-0463-A-000089

that pro-life advocates have argued all along: unborn children are human beings, deserving of protection. Every legislature in the land, in every single state and Congress, is now free to allow the will of the people to make its way into the law through our elected representatives.

“An entirely new pro-life movement begins today. We are ready to go on offense for life in every single one of those legislative bodies, in each statehouse and the White House. Over the next few years we will have the opportunity to save hundreds of thousands, even millions of lives by limiting the horror of abortion in many states. In this mission of justice and mercy, we redouble our commitment to women and families – building on a pro-life safety net that includes 2,700 pregnancy centers nationwide and initiatives like SBA Pro-Life America’s Her PLAN, as well as a growing number of [state Alternatives to Abortion programs](#), in order to love and serve both mother and child.

“Today’s outcome raises the stakes of the midterm elections. Voters will debate and decide this issue and they deserve to know where every candidate in America stands, including those who toe the Democratic Party line of abortion on demand without limits. Federal as well as state lawmakers must commit to being consensus builders who advocate for the most ambitious protections possible. SBA Pro-Life America will work tirelessly to expose and defeat abortion extremists using the tools of democracy. Life is winning in the hearts and minds of decent men and women across this nation, and when Americans remember our foundational values, life *will* win.”

Susan B. Anthony Pro-Life America is a network of more than one million pro-life Americans nationwide, dedicated to ending abortion by electing national leaders and advocating for laws that save lives, with a special calling to promote pro-life women leaders.

###

Brian W. Sanderson



SBA Pro-Life America has conducted extensive polling, message testing, and focus groups. From this research, we’ve developed four key messages:

1) The overturning of Roe in the Dobbs decision means that the American people are able to decide the issue of abortion through their elected officials in the states and in Congress. It does NOT mean a nationwide ban on abortion.

- Roe put unelected judges in charge of abortion policy. Abortion laws should be debated and decided by the American people, not dictated by judges.

- The Dobbs decision gets the courts out of the abortion business and allows Americans to have a discussion and come to consensus through their elected officials. Consensus will look different in different places.

2) Hammer Democrats for their extremist position in favor of abortion on demand, even painful late-term abortions when the child can feel excruciating pain.

- Leading Democratic politicians are in favor of abortion on demand up until the moment of birth. Many cannot name a single limit on abortion they support. Politicians who support Roe support court-imposed abortion on demand up until the moment of birth.

¹ They

oppose allowing Americans to even debate the issue through their elected representatives. These same politicians support taxpayer funding of abortion

² and even infanticide.

³

⁴ They

are way out of step with the American people.

- After Politico published the leaked draft Dobbs decision, Senate Democrats brought to the floor on May 11 radical legislation that imposes abortion up until the moment of birth, even painful late-term abortions, for all 50 states.

⁵ Every single Democratic senator except for Joe

Manchin voted for this extreme legislation.

⁶

- 71% of Americans support significant limits on abortion

⁷ and most Americans would prefer

that the people set abortion policy through their state and federal elected officials, not unelected judges.

⁸

¹ <https://www.nationalreview.com/corner/supporting-roe-means-supporting-abortion-until-birth/>

² <https://www.sba-list.org/hyde>

³ <https://s27319.pcdn.co/wp-content/uploads/2022/02/H.R.-3755-WHPA-Senate-SBA-List-memo-.pdf>

⁴ <https://www.nationalreview.com/corner/virginia-governor-defends-letting-infants-die/>

⁵ <https://s27589.pcdn.co/wp-content/uploads/2021/09/Womens-Health-Protection-Act-An-Analysis.pdf>

⁶ https://www.senate.gov/legislative/LIS/roll_call_votes/vote1172/vote_117_2_00170.htm

⁷ <https://www.kofc.org/en/news-room/polls/americans-support-legal-limits-on-abortion.html>

⁸ <https://www.sba-list.org/polling#scotus>

- Because of Roe and Casey, the United States is more in line with China and North Korea when it comes to abortion policy.

⁹ Even in progressive Europe, 47 out of 50 countries have

limits on abortion prior to 15 weeks.

¹⁰ The Dobbs gives the American people the ability to

modernize our laws.

3) Focus on the humanity of the unborn child as revealed by milestones in his or her development – all rooted in modern medicine and science.

¹¹

- Thanks to advances in modern medicine and science, the humanity of unborn children in the womb is undeniable.

- At fertilization, a new genetically distinct human life is formed.

¹²

- At 6 weeks, the unborn child's heart is beating; he or she is moving around and can respond to touch.

¹³

- By 8 weeks, babies in the womb are wiggling their little fingers and toes, and already have a preference for using their left or right hand.

¹⁴

- At 15 weeks babies are undergoing life-saving treatment and have fully formed noses and lips, eyelids and eyebrows; they can suck their thumbs, and they can even feel the excruciating pain of abortion.

¹⁵

- Roe was based on outdated science. The Dobbs decision allows America's laws to catch up with modern medicine and science.

4) Demonstrate that the pro-life movement cares not only about the unborn child, but about the mother as well and providing the resources necessary for her to choose life.

- The pro-life movement cares not only about the unborn child, but also for mothers.

- This is demonstrated by the more than 2,700 pregnancy care centers nationwide that

provide free and low-cost services to millions of people annually.

16

- It is also demonstrated by government-funded programs like the Texas Alternatives to Abortion program

17 – with a \$100 million budget

18 – that provide counseling,

material assistance, care coordination, and housing support.

9 [https://www.washingtonpost.com/news/fact-checker/wp/2017/10/09/is-the-united-states-one-of-seven-countries-that-allow-elective-abortions-](https://www.washingtonpost.com/news/fact-checker/wp/2017/10/09/is-the-united-states-one-of-seven-countries-that-allow-elective-abortions-after-20-weeks-of-pregnancy)

[after-20-weeks-of-pregnancy](https://www.washingtonpost.com/news/fact-checker/wp/2017/10/09/is-the-united-states-one-of-seven-countries-that-allow-elective-abortions-after-20-weeks-of-pregnancy)

10 <https://lozierinstitute.org/comparing-mississippi-limit-with-european-laws/>

11 <https://lozierinstitute.org/15-facts-at-15-weeks/>

12 <https://lozierinstitute.org/fetal-development/week-0-to-1/>

13 <https://lozierinstitute.org/fetal-development/week-5-to-6/>

14 <https://lozierinstitute.org/dive-deeper/right-and-left-handedness/>

15 <https://lozierinstitute.org/15-facts-at-15-weeks/>

16 <https://lozierinstitute.org/pregnancy-center-reports/>

17 <https://www.hhs.texas.gov/services/health/women-children/alternatives-abortion>

18 <https://lozierinstitute.org/alternatives-to-abortion-programs-support-for-mothers-and-families/>

Q: Doesn't overturning Roe in the Dobbs decision threaten dozens of other precedents founded on a privacy right, such as gay marriage or contraception?

A: No. Justice Alito explicitly addresses this claim in the Dobbs opinion, making clear that the opinion ONLY impacts abortion, and argues that abortion is "fundamentally different" from other privacy issues such as contraception and marriage because it destroys the life of a distinct human being.

On page 66 of the opinion, Justice Alito writes: "And to ensure that our decision is not misunderstood or mischaracterized, we emphasize that our decision concerns the constitutional right to abortion and no other right. Nothing in this opinion should be understood to cast doubt on precedents that do not concern abortion."

1

Further, on page 5, Justice Alito wrote: "The abortion right is also critically different from any other right that this Court has held to fall within the Fourteenth Amendment's protection of 'liberty.' Roe's defenders characterize the abortion right as similar to the rights recognized in past decisions involving matters such as intimate sexual relations, contraception, and marriage, but abortion is fundamentally different, as both Roe and Casey acknowledged, because it destroys what those decisions called 'fetal life' and what the law now before us describes as 'an unborn human being.'"

2

Q: The Dobbs decision means abortion can be criminalized – won't you criminalize women who seek them?

A: No. The pro-life movement has always held that there are at least two people harmed in every abortion, the unborn child and the mother. Pro-life leaders from across the country firmly oppose any efforts to criminalize women following an abortion.

³ Studies

show that 30-60% of U.S. women who seek abortions were pressured by another

¹ See page 66: https://www.supremecourt.gov/opinions/21pdf/19-1392_6j37.pdf

² See page 5: https://www.supremecourt.gov/opinions/21pdf/19-1392_6j37.pdf

³ <https://www.nrlc.org/uploads/communications/051222coalitionlettertostates.pdf>

person—often the father of the child, the woman’s parents, her family members, her friends, or an employer.

⁴ In one study, 64% of women who had undergone an abortion

reported being pressured.

⁵ It is abortionists and chemical abortion suppliers who should

be held accountable.

Q: Doesn’t the pro-life movement oppose contraception, and won’t it work to make contraception illegal in wake of Dobbs?

A: This is scaremongering; not a single state legislature or Congress is debating making contraception illegal. Justice Alito made clear in the Dobbs opinion that nothing in the opinion impacts other precedents, and he specifically distinguishes abortion from contraception. The pro-life movement is opposed to abortion, and contraception by definition is not abortion – it is prevention of conception. Recognizing this distinction, state and federal programs fund contraception, but pro-life states and federal programs do not generally fund abortion.

Q: By making abortion illegal, won’t you also criminalize IVF and fertility treatments?

A: This is scaremongering. Not a single state legislature or Congress is debating making fertility treatments or IVF illegal. The pro-life movement is focused on stopping the intentional destruction of unborn human life. There are fertility treatments and methods of IVF that do not intentionally destroy human life. While the media keeps asking these ridiculous hypothetical questions of pro-life advocates, they rarely ask pro-abortion advocates about their support for painful late-term abortions and even infanticide – which are happening today in America, very much non-hypothetical questions.

Q: Won’t prohibiting women from getting abortions lead to an increase in children without homes in an already overburdened foster care system?

A: Moms and dads who choose life and then choose to make an adoption plan make a difficult but courageous choice. Sadly, today, for every one infant placed with a family through adoption, nearly 50 are aborted. And yet there are an estimated two million couples seeking to adopt, which means nearly 40 couples waiting for each child placed for adoption,

⁶ demonstrating that every child may have a home where she is welcomed and loved.

⁴ <https://lozierinstitute.org/protecting-women-from-coerced-abortions-the-important-role-of-pregnancy-help-centers/>

⁵ Ibid.

⁶ https://www.americanadoptions.com/pregnant/waiting_adoptive_families#:~:text=While%20it%20is%20difficult%20to,who%20is%20placed%20for%20adoption.

Children placed for adoption do not go into the foster care system. Private adoption is a completely voluntary process where parents choose the family who will raise their child and may maintain a connection after placement. 95% of today's adoptions are open – giving the gift of life to those beautiful children in a loving home with their adoptive parents and keeping life-long connections open with their birth family.

Q: Now that Roe is overturned, some states will have laws that ban abortion even in cases of rape and incest. Isn't this cruel?

A: Rape and incest are horrific crimes, and the perpetrators of these violent acts should be prosecuted to the fullest extent of the law. The value of human life is not determined by the circumstances of his or her conception and abortions carried out following these horrific crimes only compound the crisis that the mother is enduring. Abortion advances a cycle of violence forward on yet another innocent victim. For what other crime do we punish the child, let alone a vulnerable unborn baby, for the crime of one of his or her parents? More than 98% of abortions are for elective reasons, not the cases described in the question.

7

Q: Now that Roe is overturned, many states will force women to carry to term fetuses that aren't viable outside the womb – causing women and families severe emotional distress. How could you support that?

A: Sadly, fetal abnormalities may result in natural fetal death in utero (miscarriage), stillbirth, death shortly after birth, or long stays in intensive care units. One cannot accurately predict with certainty how long a child facing a life-limiting condition will survive. We should be searching for treatments and cures for these conditions, not discriminating against infants with disabilities. In fact, scientific advancements in medicine continue to push the boundaries for conditions that have formerly been described as lethal. In the United States, studies have found that although one-year survival for infants with Trisomy 13 or 18 has been stated to be less than 10%, hospital records actually show a far higher percentage (32-41%) of children with Trisomy 13 and 18 living longer than one year. In more than 10% of discharges, children were older than eight years.

In every case, perinatal hospice provides comprehensive care for the family of the fetus with a life-limiting condition. The goal is to provide prenatal, perinatal, and postnatal medical care and support to infants with life-threatening and life-limiting diagnoses,

⁷ <http://www.johnstonsarchive.net/policy/abortion/abreasons.html>

and their families, and to improve their quality of life. Perinatal hospice care is an extension of established adult palliative care models. In short, perinatal hospice provides healing without cure for the patient. While parents grapple with their infant's lifelimiting or life-threatening diagnosis, perinatal hospice can provide a safe place for families to meet their child face to face, hold their child, and demonstrate their love, for however long their child may have life.

Q: Now that Roe is overturned, many states have laws that ban abortion before the woman even knows she's pregnant. How is that just?

A: No matter the circumstances of conception or the awareness of the life at the time, the fact remains that in every pregnancy there is a second life, a new patient separate and distinct from his or her mother that states have the right to protect.

Q: Roe's overturning is going to be hardest on poor women, especially poor women of color in states with bans who cannot afford to travel out of state to get an abortion. Why are you advocating for laws that will hurt poor people of color?

A: It is a travesty that abortion disproportionately impacts people of color and has done so for decades.

⁸ America is better than that. The pro-life movement believes in the

dignity of all people, regardless of race or income. If Roe is overturned and unborn children can be protected, we will be able to save vulnerable children regardless of race. That should be celebrated. The pro-life movement stands ready to support moms who no longer have access to abortion. The pro-life movement has been serving women and families for the past 50 years through existing networks like America's 2,700 pregnancy centers that provide vital services to millions of people each year at virtually no cost.

9

Programs like Her PLAN

¹⁰ have launched to identify and fill gaps in the safety net across

states so that the needs of mothers and babies are met. Further, government programs like Texas's Alternatives to Abortion program provide counseling, material assistance, care coordination, and housing support for mothers and families with a \$100 million budget.

11

Q: You keep bringing up so-called late-term abortions to try to claim pro-choice Democrats are extreme, but aren't they extremely rare and only in the most heartbreaking of cases?

⁸ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7436774/>

⁹ <https://lozierinstitute.org/pro-life-pregnancy-centers-served-2-million-people-with-essential-medical-education->

and-support-services-in-2019/

¹⁰ <https://herplan.org/>

¹¹ <https://lozierinstitute.org/alternatives-to-abortion-programs-support-for-mothers-and-families/>

A: Painful late-term abortions are not rare and are overwhelmingly performed in purely elective cases. Each year in the United States, over 15,000 abortions occur after 15 weeks of pregnancy when the unborn child can feel excruciating pain, and they are performed overwhelmingly for elective reasons.

¹² Currently, abortion is legal up until birth in 20

states plus the District of Columbia.

¹³ Sadly, these late-term abortions will continue even

if Roe is overturned in Dobbs since the states that allow them are unlikely to take any action, absent any significant political changes. The allowance of late-term abortions makes the United States an extreme outlier internationally, as we are one of just a handful of countries – including North Korea and China – to allow abortions when the child can feel excruciating pain.

¹⁴

¹² <https://lozierinstitute.org/questions-and-answers-on-late-term-abortion/>

¹³ States are: AK, CA, CO, CT, DC, DE, HI, IL, MA, MD, ME, MN, NJ, NM, NV, NY, OR, RI, VA, VT, WA.

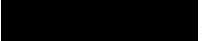
¹⁴ <https://www.washingtonpost.com/news/fact-checker/wp/2017/10/09/is-the-united-states-one-of-seven-countries-that-allow-elective-abortion-after-20-weeks-of-pregnancy/>

Message: Post-Dobbs > Updated Memo to Governors and Resource Guide

 Post-Dobbs > Updated Memo to Governors and Resource Guide

From Brian Sanderson Date Friday, July 15, 2022 11:10:48 AM

To Brian Sanderson

Cc  @sbaprolife.org

Subject Post-Dobbs > Updated Memo to Governors and Resource Guide

 Dobbs Memo for Governors July 2022.pdf (534 Kb)

Friends,

Please find attached an updated resource guide and memo to governors on the current state of play across America following the *Dobbs* decision. , president of Susan B. Anthony Pro-Life America, asked me to share this with you. If you have any questions, please do not hesitate to contact me. Thank you – Brian Sanderson

TO: Pro-Life Governors

FR: SBA President 

RE: *Dobbs* case update

DATE: July 15, 2022

Introduction + Thank You

For pro-life Americans across the country, this year's Independence Day was especially momentous following the June 24th *Dobbs* decision in which the Supreme Court restored constitutional principles – returning the issue of abortion back to the people to decide through their elected representatives instead of being decided by unelected judges.

On behalf of the millions of pro-life Americans across the country, we thank you for bringing our movement and America herself to this new era, free from a great weight that has been undermining the best impulses of our country for almost 50 years. Governors have been on the front lines of this fight, advocating and defending pro-life policies that challenged the *Roe* regime.

We hope you find this memo helpful in unpacking what's taken place since the *Dobbs* decision and what's to come in the weeks and months ahead.

State of the States

Since the June 24th *Dobbs* decision, pro-life states have sprung into action, restoring protective pro-life laws that were unenforceable or blocked under the *Roe* regime. Here's a [breakdown](#) of the “state of the states” as of today:

- **12 states** have very protective pro-life limits in effect as of today. These laws protect unborn children in their earliest stages, such as from conception or when the child’s heartbeat can be detected.
- **6 states** have very protective pro-life limits that are soon to go into effect – such as states with trigger laws that take effect 30 days after *Roe*’s reversal, or states that are having previous injunctions lifted in court.
- **4 states** have very protective pro-life laws that are currently being litigated at the state level. Hopefully these laws will soon go into effect, barring any activist state courts that “find” a right to abortion in their state constitution.
- **1 state** has a 15-week limit in effect, which is when science tells us the unborn child can feel excruciating pain. 15-week limits were unconstitutional prior to the *Dobbs* ruling.
- **27 states plus the District of Columbia** continue to have few or no limits on abortion and have largely been unaffected by the *Dobbs* ruling in terms of any gestational limits.

In the 12 states with very protective limits in place, we estimate that approximately 112,000 abortions will be prevented in those states annually, resulting in a tremendous number of lives saved. Of course, this does not take into account those who travel to another state or take dangerous chemical abortion drugs being pushed by the abortion lobby and their allies in the media. But without a doubt, many unborn children and mothers will be saved by these life-affirming laws, only made possible by the *Dobbs* decision.

Key resource: See SBA’s [interactive map](#) tracking state-by-state action on a daily basis

Post-*Dobbs* Polling

Public opinion polls released by the media following the *Dobbs* ruling show majority opposition to the ruling. However, this is unsurprising given that for decades Americans have not understood the *Roe* decision and its impacts. The results are more encouraging when you dig a bit deeper, as they clearly demonstrate that the majority of Americans support limits that were not allowed under *Roe*.

The Harvard/Harris national poll of registered voters is a good example of this dynamic. The [poll](#), which was conducted June 28-29 just days after the *Dobbs* ruling, found the following:

As the polling demonstrates, opposition to reversing *Roe* comes in at 55% to 45%, but when asked about specifics, a combined 49% of Americans believe that abortion should be limited, at most, to up to six weeks. **When you add Americans who support a 15-week limit, support for limits that were not allowed under *Roe* grows to a commanding 72% -- while only 10% of Americans support the Democratic position of abortion until the moment of birth.**

Further, the same poll shows a complete wash in terms of how the ruling impacts party preference for the election:

Furthermore, SBA conducted 2022 battleground polling with OnMessage in May following the leaked draft Dobbs decision. The polling found that a majority of voters support a GOP candidate who supports limits (whether it be pain or heartbeat) over a Democrat candidate that supports abortion on-demand until birth:

Key Resource: WSJ [editorial](#), “Will Abortion Save the Democrats? A new poll says 75% of women favor abortion policies that Roe v. Wade deemed illegal.”

Post-Dobbs Messaging Resources

SBA Pro-Life America has conducted extensive polling, message testing, and focus groups. We have several *Dobbs* messages resources available for you.

First and foremost, we have our top four messages to keep pro-lifers on offense. Below are the top four messaging points, and we have talking points available here for each top message. Please see our full messaging document [here](#).

- 1) The *Dobbs* decision means that the American people are able to decide the issue of abortion through their elected officials in the states and in Congress. It does NOT mean a nationwide ban on abortion.
- 2) Hammer Democrats for their extremist position in favor of abortion on demand, even painful late -term abortions when the child can feel excruciating pain.
- 3) Focus on the humanity of the unborn child as revealed by milestones in his or her development – all rooted in modern medicine and science.
- 4) Demonstrate that the pro-life movement cares not only about the unborn child, but about the mother as well and providing the resources necessary for her to choose life.

Second, we have resources available to help answer tough/hostile questions from the media and abortion advocates. Below are some hostile questions and quick responses. For our more detailed Q&A document, please contact our VP of State Affairs, [REDACTED] : [REDACTED] [@sbapro-life.org](mailto:[REDACTED]@sbapro-life.org).

Hostile Question Short Response

Doesn't the *Dobbs* decision threaten dozens of other precedents founded on a privacy right, such as gay marriage or contraception?

No. Justice Alito explicitly addresses this claim in the majority opinion, making clear that the opinion ONLY impacts abortion, and argues that abortion is “fundamentally different” from other privacy issues such as contraception and marriage because it destroys the life of a distinct human being.

The *Dobbs* decision means abortion can be criminalized – won't you criminalize women

who seek them?

No. The pro-life movement has always held that there are at least two people harmed in every abortion, the unborn child and the mother. We oppose prosecuting women who have undergone an abortion. It is abortionists and chemical abortion suppliers who should be held accountable.

Doesn't the pro-life movement oppose contraception, and won't it work to make contraception illegal in wake of *Dobbs*?

No. This is scaremongering; not a single state legislature or Congress is debating making contraception illegal. The pro-life movement is opposed to abortion, and contraception by definition is not abortion – it is prevention of conception.

By making abortion illegal, won't you also criminalize IVF and fertility treatments?

No. This is scaremongering. Not a single state legislature or Congress is debating making fertility

treatments or IVF illegal. The pro-life movement is about stopping the intentional destruction of unborn human life.

Won't the *Dobbs* decision and subsequent abortions bans mean women won't be able to get treatment for ectopic pregnancies or miscarriages?

No. Miscarriages are not abortion. And treatments for ectopic pregnancy are not the same procedures used by induced abortions, which even Planned Parenthood admits.

Finally, SBA Pro-Life America has a professionally produced messaging training video available to allies. Please contact SBA VP of State Affairs [REDACTED] at [REDACTED]@sbaprolife.org to access the video.

Key Resource: [Facts not Fear](#): A website responding to individual lies from abortion advocates with the facts from CLI medical experts

Key Resource: [CLI Fact Check](#): *Dobbs* Will Not Impact Life-Saving Medical Care for High Risk or Ectopic Pregnancies

Response from National Democrats: Trying to Pass the “Abortion On-Demand Until Birth Act”

As expected, pro-abortion Democrats are apoplectic about the *Dobbs* decision. Congressional Democrats have already scheduled five hearings on the topic, and after many public complaints from

pro-abortion activists and fellow Democrats that he wasn't doing enough, President Biden issued executive action on July 8th that seeks to put the weight of the federal government behind abortion.

While Democrats seek to set traps through hearings and floor votes to try to get pro-life elected officials to say damaging things, pro-life officials should stay focused on exposing the Democrats' ultimate goal: Passing the Abortion On Demand Until Birth Act.

Democrats are so determined to enact this extreme legislation (which they deceptively call the Women's Health Protection Act) that after the *Dobbs* decision President Biden called on the Senate to create a special carve out of the filibuster to get it sent to his desk.

The House has already voted on the Abortion On Demand Until Birth Act once back in September 2021, while the Senate has voted on it twice – once in February 2022 and again after the leaked *Dobbs* draft in May 2022. The House is scheduled to take up the bill once more on July 15th, and more floor votes are expected between now and the election.

While Democrats try to portray this legislation as a codification of *Roe*, in reality it goes far beyond *Roe* – imposing abortion on demand until birth on all 50 states and eliminating nearly all pro-life laws, including those that were allowed under the restrictive *Roe* regime such as parental involvement laws, and even limits on late-term abortion. That's why in the Senate even some pro-*Roe* Senators voted against it – because they knew it went way beyond *Roe*.

The Abortion On Demand Until Birth Act has very little public support, as demonstrated by the polling reviewed above. Pro-Life officials should focus their messaging on this Democratic extremism and avoid traps laid by the other side and their allies in the media.

Key Resource: [SBA memo](#) detailing the Abortion On Demand Until Birth Act

Conclusion

Thank you again for being a courageous defender of the most innocent in our society. We celebrate the *Dobbs* decision with you and most importantly, we celebrate the lives that will be saved under the law because of it. There is much work to do, but the work can finally now be done because of the *Dobbs* decision. Please do not hesitate to contact us with any questions or any resources you need as we continue this battle together.

Message: FW: Invitation: Pro-Life Governor Roundtable with Susan B. Anthony Pro-Life America

 FW: Invitation: Pro-Life Governor Roundtable with Susan B. Anthony Pro-Life America
From Willard, Aaron Date Tuesday, August 23, 2022 3:15:51 PM
To Bailey, Andrew;Hahn, Kayla
Cc
Subject FW: Invitation: Pro-Life Governor Roundtable with Susan B. Anthony Pro-Life America

[FYSA](#)

From:  @sbaprolife.org>
Sent: Tuesday, August 23, 2022 2:07 PM
To: Willard, Aaron <Aaron.Willard@governor.mo.gov>
Cc:  @sbaprolife.org>
Subject: Invitation: Pro-Life Governor Roundtable with Susan B. Anthony Pro-Life America

Hi Aaron -

We are in an incredible time, where leaders like Governor Parson have been able to advance life-saving protections for the unborn. At the same time pro-life governors are demonstrating we aren't just anti-abortion. By advancing policies that prove our critics wrong we are showing the true compassion of the pro-life movement and taking action to stand with mothers – offering meaningful support during their pregnancy when the other side offers abortion as the only “solution.”

To build on the momentum since the *Dobbs* decision we would like to invite you to a special virtual Pro-Life Governors Roundtable to discuss the opportunity we have before us, and allow you to engage with other pro-life governors fighting to protect life and support mothers. Pollster Wes Anderson from OnMessage will share results from recent polling commissioned by SBA Pro-Life America, and then  and Gov. Chris Christie will moderate a discussion on the policies pro-life governors are pursuing for the *Dobbs*-era of America to educate and inform your continued work.

What: Pro-Life Governor Roundtable
Who: Pro-Life Governors, SBA Pro-Life America President , Former New Jersey Governor Chris Christie, OnMessage Pollster Wes Anderson
Where: Virtual (meeting link will be provided)
When: September 7th at 11 AM Eastern Time

Please RSVP by August 31st if the Governor is able to attend so we may provide you the link for this event.


Vice President of State Affairs
Susan B. Anthony Pro-Life America
@sbaprolife.org
(703) 350-3719
[@sbaprolife](#)



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