

**From:** Christians for Life and Liberty <CLL@spiritcom.net>  
**To:**  
**Date:** 11/14/2018 2:47:54 PM  
**Subject:** (azcentral.) 'Arizona still has a law banning abortion on the books'

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iri600Christians for Life and Liberty ( CLL )  
aka [Columbia Christians for Life \( CCL \)](#)  
Columbia, South Carolina  
November 14, 2018

[azcentral.](#)

## 'Arizona still has a law banning abortion on its books'

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Excerpts:

"If the Supreme Court were to overturn Roe V. Wade, the impact in Arizona could be significant and swift, activists say. Arizona since at least the early 1960s has had laws on its books banning abortion and restricting birth control."

continued...

"According to the Guttmacher Institute, nine [ CLL: sic ] other states have pre-Roe bans similar to [Arizona](#)'s on the books: [Alabama](#), [Alaska](#), [Massachusetts](#), [Mississippi](#), [New Mexico](#), [Oklahoma](#), [West Virginia](#) and [Wisconsin](#). "

[azcentral.](#)

'Arizona still has a law banning abortion on its books'

<https://www.azcentral.com/story/news/politics/arizona/2018/07/07/arizona-still-has-law-banning-abortion-its-books-supreme-court-anthony-kennedy-donald-trump/760335002/>

July 7, 2018

Updated July 11, 2018

[ CLL: emphasis added ]

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[azcentral.](#)

## 'Arizona still has a law banning abortion on its books'

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July 7, 2018

Updated July 11, 2018

[ CLL: excerpts, emphasis, comments added ]

Abortion has been legal [ CLL: sic - " **abortion** " is not legal ] in the United States since 1973.

But activists believe the landmark Roe v. Wade ruling could be overturned following **Supreme Court Justice Anthony Kennedy's retirement announcement** and President Donald Trump's promise to quickly insert a conservative replacement.

Trump **nominated federal appeals court Judge Brett Kavanaugh**. He now must be confirmed by the GOP-controlled U.S. Senate.

If the Supreme Court were to overturn Roe V. Wade, the impact in Arizona could be significant and swift, activists say.

Arizona since at least the early 1960s has had laws on its books banning abortion and restricting birth control.

Those laws are not enforced, but they were never removed.

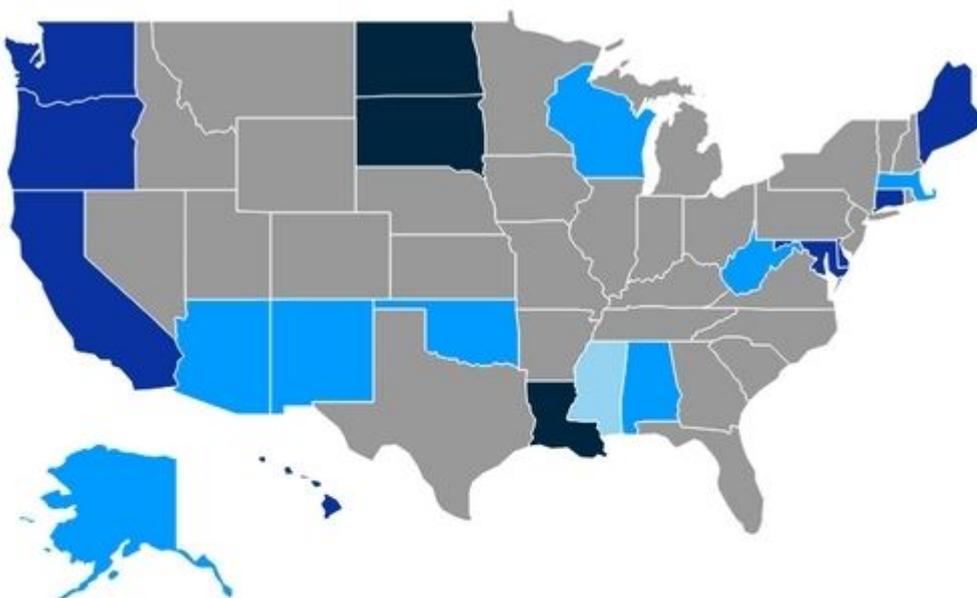
continued...

Center for Arizona Policy President Cathi Herrod, whose organization has for years successfully pushed for abortion restrictions at the Legislature, refused to speculate on what could happen.

"No one can predict what would happen if Roe was overturned," she said.

continued...

How does Arizona compare?



- Pre-Roe bans on the books. ● Protects abortion rights.
- Immediately bans abortion once Roe v. Wade is overturned.
- Pre-Roe bans and will immediately ban once Roe v. Wade is overturned.

According to the Guttmacher Institute, there are 10 states with pre-Roe bans on the books including Arizona.

(Photo: The Republic)

According to the Guttmacher Institute, nine [ CLL: sic ] other states have pre-Roe bans similar to Arizona's on the books:

Alabama, Alaska, Massachusetts, Mississippi, New Mexico, Oklahoma, West Virginia and Wisconsin.

Four states have post-Roe laws that would immediately ban abortion if Roe v. Wade was overturned: Louisiana, Mississippi, North Dakota and South Dakota.

There are some states with laws to protect abortion rights [ CLL: sic ] if Roe v. Wade were overturned:

California, Connecticut, Delaware, Hawaii, Maine, Maryland, Oregon and Washington.

## Laws against abortion

Arizona's "pre-Roe bans" declare abortion illegal unless the woman's life is at risk. It has no exceptions for cases of rape or incest.

Planned Parenthood Advocates of Arizona President Bryan Howard said the state is one lawsuit away from the bans going back into effect.

"We just need one county attorney to say, 'I want to enforce this,' " he said.

continued...

Under the unenforced Arizona laws, a person can face time in prison for giving a woman medicine or using an instrument to

"procure the miscarriage." A woman can face up to five years in prison for soliciting medication or drugs, or undergoing an operation that will "procure a miscarriage."

continued...

## Law against birth control

There is also an unenforced law on the Arizona books that states that a person who writes or publishes a notice

or advertisement for a medication to help facilitate a miscarriage, abortion or for "prevention of conception" can be found guilty of a misdemeanor.

Howard said it is not surprising there is a law focusing on birth control because many people who oppose abortion also oppose many methods of contraception.

"This will not only criminalize abortion in the first trimester of a pregnancy, this will potentially criminalize women who are using IUDs, women who are using the patch, or a hormonal ring," Howard said.

continued...

## Remembering the days before Roe

For Arizona State University Women's Studies professor Mary Logan [Rothschild](#), the abortion debate boils down to one thing: "Will they be legal and safe or illegal and unsafe?"

She said she had an illegal abortion in Washington state decades ago. Afterward, she became an advocate for access to abortions.

"We can't have that happen anymore," she said.

She said if the decision is given back to the states, the "game is over for Arizona women."

## SCOTUS' impact on Arizona

continued...

If the Supreme Court were to overturn *Roe v Wade*, Arizona laws likely wouldn't automatically go into effect.

Officials may first have to untangle all the conflicting laws on the books that have been passed since 1973.

Nash [ CLL: state issues manager for the pro-"abortion" national [Guttmacher Institute](#) ] said before the laws could go into effect, the state attorney general would possibly be involved with putting them into place. It is common for a state's attorney general to determine how a Supreme Court ruling would impact local law.

"It seems like that could happen fairly quickly," she said.

The Republic contacted the Attorney General's Office for more information on what process would occur.

"We're not sure what Ms. Nash is referring to or why she chose to reference the Attorney General's Office, but we have no interest in commenting on her hypothetical," said Katie Conner, director of media relations for Arizona Attorney General Mark Brnovich.

"It's an irresponsible statement not grounded in reality."

Arizona has passed numerous laws regulating abortions over past decade, [leading the nation with some of its restrictions.](#)

continued...

Over the past years, pro-life organizations led by the Center for Arizona Policy have successfully proposed numerous abortion restrictions.

The organization advocates on issues impacting religious freedom, marriage and family values and is an influential voice at the Legislature.

"We believe abortion not only takes a human life, but also hurts women," Herrod said.

The organization successfully [pushed for legislation](#) banning late-term abortions, requiring an ultrasound before an abortion and restricting who can provide medication abortions or perform abortions.

Rep. Athena Salman, D-Tempe, said the impact of a Supreme Court ruling in Arizona could be significant because "what was once considered the extreme religious right is now mainstream conservatism."

continued...

<https://www.azcentral.com/story/news/politics/arizona/2018/07/07/arizona-still-has-law-banning-abortion-its-books-supreme-court-anthony-kennedy-donald-trump/760335002/>

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From Christians for Life and Liberty:

["Abortion is not legal" - Christine Ross and Herbert W. Titus, JD](#)

<http://christianlifeandliberty.net/HerbTitus0501.doc>

[Presidents Thomas Jefferson and Andrew Jackson: The Supreme Court is not the final arbiter of the Constitution](#)

<http://christianlifeandliberty.net/CONLAW05.DOC>

President Ronald Reagan PERSONHOOD PROCLAMATION - January 14, 1988

<https://www.reaganlibrary.gov/research/speeches/011488d>

[ excerpts ]

President of the United States of America, Proclamation 5761, National Sanctity of Human Life Day, 1988

- "The unalienable right to life is found not only in the Declaration of Independence but also in the Constitution

that every President is sworn to preserve, protect, and defend. Both the Fifth and Fourteenth Amendments

guarantee that no person shall be deprived of life without due process of law."

- "NOW, THEREFORE, I, Ronald Reagan, President of the United States of America, by virtue of the authority

vested in me by the Constitution and the laws of the United States, do hereby proclaim and declare the unalienable

personhood of every American, from the moment of conception until natural death, ..."

### LEGAL EXPERTS SUPPORTING THE CONSTITUTIONALITY OF STATE-LEVEL PERSONHOOD LEGISLATION

IN SC (2001), MISS (2009), ALA (2011), and OK (2012):

- Herb Titus is an attorney, constitutional scholar, author, the founding Dean of College of Law/Gov't at Regent University

- Mathew Staver is former Dean of the School of Law at Liberty University; and [Liberty Counsel](#) founder and chair

- Judge Roy Moore, Chief Justice of the [Alabama Supreme Court](#), is President Emeritus of [Foundation for Moral Law](#)

April 5, 2016

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