

PUBLIC COMMENT FORM

RETURN TO:
Missouri Secretary of State
Elections Division
600 W. Main St.
Jefferson City, MO 65101



MISSOURI SECRETARY OF STATE
JOHN R. ASHCROFT

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PHONE	EMAIL	ZIP CODE
		<i>Vitae Foundation</i>
		ORGANIZATION

PETITION NUMBER

Right to Reproduction Freedom Initiative

BRIEFLY PROVIDE YOUR COMMENT BELOW

please see attached letter

PLEASE NOTE THAT COMMENTS ARE "PUBLIC RECORDS," SUBJECT TO DISCLOSURE UPON REQUEST. YOUR COMMENT, INCLUDING NAME AND ADDRESS, MAY BE OBTAINED PURSUANT TO A SUNSHINE LAW REQUEST.

April 6, 2023

The Honorable Jay Ashcroft, Secretary of State
Elections Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Ashcroft,

We are grateful for the opportunity to share information and concerns identified by Vitae Foundation that could be helpful as you craft the ballot summary language for "The Reproductive Freedom Initiative." We freely admit that we are not legal scholars but have looked at the language in the proposed petitions through the lens of what we see as Missouri voters.

While eleven differing proposals were submitted to your office, we identified the following concerns that apply to all versions and could cause confusion for our fellow Missourians:

The broad definition of "Reproductive Freedom" in the proposed petitions is intentionally deceptive. While the perceived intent of the amendment is to make abortion legal for any and all reasons up until birth, the language misleads the voter by including prenatal care, miscarriage care and birth control, to name a few, to detract from the original intent of the amendment. This additional language provides opportunities to employ "scare tactics" such as we saw in Kansas. Voters were swayed because of messages threatening that they would lose access to birth control and to in vitro fertilization.

Referencing proposal Item #2: Of each petition makes reference to many types of "care." Who defines each type of "care," specifically "abortion care," and who enforces that "care" if the Government is not allowed to enact regulations?

As a point of information, which may or may not be relevant to the proposed amendment, we have recently learned through well documented sources that the promoters and providers of chemical abortion are instructing users who experience complications, to go to the nearest emergency room and state they are having a miscarriage. Again, employing another scare tactic, they are telling women that ER staff will be unable to tell that they took abortion pills, so they would be protected from prosecution. What they fail to share is that the abortion pill providers will also be spared from prosecution in those cases where the pills were distributed illegally. Also, by claiming to have a miscarriage, the complications will be attached to that diagnosis rather than any complications related to chemical abortion. It would appear that the abortion industry is purposefully skewing the data to protect their best interests. This makes "miscarriage care" a concern as a part of these proposals.


Referencing proposal Item #3: Could be interpreted to force pregnancy centers to make referrals for abortion. Additionally, pro-life doctors, clergy, and others who serve women in unplanned pregnancy situations, could be prosecuted for not counseling or referring for abortion. In 2014 Vitae testified in a "forced speech" lawsuit brought against a Montgomery County, Maryland,

pregnancy center. That law was struck down without further challenge. Matt Bowman, then Senior Legal Counsel for Alliance Defending Freedom, and co-counsel in the case, stated, "No government, in a quest to achieve a political goal, should ever resort to coercing or shutting down someone else's speech in violation of the First Amendment." If that same logic applies to the proposed initiatives, would that conflict with Article I, Section 8, of the Missouri Constitution? If so, would that also indicate the proposed initiative would violate Article XII, Section 2(b) and Article III, Section 50 of the Missouri Constitution requiring that such initiatives "shall not contain more than one subject and matters properly connected herewith"?

There is no language in any of the submitted petitions explaining the impact this proposed amendment would have on existing statutes. Missouri's citizenry and its elected officials have worked diligently over the years to protect women and their unborn children, before, during and after pregnancy. Missourians need to be informed that the proposed amendment would not only nullify existing protections but would also prohibit new regulations.

Thank you for giving us the opportunity to provide input in order to help voters more fully understand what they are voting on.

Sincerely,

A handwritten signature in cursive script that reads "Brandy Meeks".

Brandy Meeks
President/CEO