



MICHIGAN VALUES LIFE: PETITION DRIVE TO END DISMEMBERMENT ABORTION FREQUENTLY ASKED QUESTIONS

Why is legislation needed to ban dismemberment abortion?

The dismemberment procedure, referred to by the medical community as Dilation and Evacuation (D&E), is a brutal form of abortion frequently used during the second trimester of pregnancy (13-24 weeks of gestation). The procedure requires an abortionist to dismember an unborn baby while still alive, tearing the child apart limb by limb inside the womb and individually removing each of the body parts. In 2018, there were 1,908 dismemberment abortions performed in Michigan, or more than 5 per day. The *Michigan Values Life* Committee, created by Right to Life of Michigan, is conducting a statewide signature gathering effort to ban dismemberment abortion in this state. The petition process allows the citizens of the state to bypass approval from the governor, who has already stated she would veto legislation that protects the unborn.

How can registered voters initiate legislation?

The Michigan Constitution allows the people of the state to sponsor legislation through a citizen's initiative petition. The advantage of this approach is that the bill's language cannot be vetoed by the governor. To succeed, the dismemberment abortion petition will need approximately 350,000 valid signatures from registered voters, or eight percent of the votes in the last gubernatorial election. If that threshold is reached, the policy will go into effect with a simple majority vote from the Michigan Senate and House of Representatives. If state lawmakers vote against the petition language or take no action, it will go on the ballot to be approved or rejected by Michigan voters.

Will this dismemberment abortion measure be on the ballot in 2020?

The petition language is unlikely to go to the ballot and will likely be decided by the Michigan Legislature, the people's representatives. The goal of the petition drive is to initiate a ban on dismemberment abortion, similar to legislation recently passed by both the Michigan Senate and House of Representatives. After enough signatures are gathered, the measure will become law with a simple majority vote in the same Legislature that has already shown support for such a ban.

How is this petition different from legislation recently approved by state lawmakers?

The dismemberment petition drive is nearly identical to bills passed by state lawmakers in both the Michigan Senate and House of Representatives earlier this year. The main difference is that a section has been added to the petition drive allowing the Legislature to intervene in lawsuits as Attorney General Dana Nessel has stated publicly that she will not defend a state law restricting abortion. The petition language can be read at <https://michiganvalueslife.org/read-the-bill/>.

Will this legislation ban all abortions?

No. Similar to the existing ban on partial-birth abortion, this proposal will amend the partial-birth abortion law to also include a ban on the dismemberment procedure. Therefore, this law will only prohibit a specific type of abortion procedure (dismemberment or D&E) that is used most often during the second trimester of pregnancy. Michigan law already bans *all* abortions except to save

the life of the mother. The state's current law cannot go into full effect until *Roe vs. Wade* is overturned by the U.S. Supreme Court. In the meantime, banning this heinous form of abortion is critical as 1,908 unborn babies in Michigan were dismembered in the womb during 2018 alone.

Would the dismemberment ban likely be found constitutional?

This ban has a legal pathway to survive a court challenge. It is simply asking that the standards used by the U.S. Supreme Court in *Gonzales v. Carhart*, which upheld the federal partial-birth abortion ban, also apply to the similar and equally brutal dismemberment abortion (D&E) procedure. In the majority opinion of *Gonzales*, Justice Anthony Kennedy wrote, "No one would dispute that, for many, D&E is a procedure itself laden with the power to devalue human life."

Can Catholic churches talk about the dismemberment drive and gather signatures?

Yes, since the effort to prohibit dismemberment abortion is an initiative proposal, issue-based and specific to legislation, 501(c)(3) IRS organizations such as churches *are able to* speak out and distribute related materials. Churches may also host signature gathering efforts on their property and at parish events. Michigan Catholic Conference (MCC) and the Catholic bishops in Michigan encourage such action and ask interested parishioners to speak with their pastor.

What is the Catholic Church's position on the second pro-life drive in Michigan?

A second petition drive currently underway from the Michigan Heartbeat Coalition would ban any abortion after cardiac activity is detected (approximately 6-8 weeks of gestation). While the intent of this legislation is honorable, there is cause for concern that the proposal could weaken and potentially supersede Michigan's existing ban on all abortions. This existing ban is in place and enforceable to the extent allowable under *Roe v. Wade* and *Doe v. Bolton*. A heartbeat ban would likely not be enforceable until these cases are overturned. At best, it would then be redundant because the state's existing ban on all abortions would also go back into effect. At worst, the heartbeat ban could be interpreted to create a conflict in the law and replace the existing statute, actually allowing abortions up until a baby's heartbeat is detected. *The dismemberment ban does not create a conflict because it does not prohibit abortion but rather a specific abortion procedure.* Additionally, the heartbeat petition language does not take into account Michigan law and its many abortion restrictions, such as the limitation that only licensed physicians may perform abortions. As a result, the proposed language has the potential to also overturn other important protections within state law. ***MCC does not support the Michigan Heartbeat Coalition drive and is instead focusing all efforts on the Michigan Values Life petition to end dismemberment abortion.***

Can I sign more than once?

Each registered voter may only sign the petition ONCE. With two petition drives regarding abortion circulating the state this summer and fall, be very clear that you are signing the ***Michigan Values Life: End Dismemberment Abortion*** petition and only signing once.

Where can I order Michigan Values Life petition forms?

Petitions to end dismemberment abortion, as well as other materials related to the effort, can be requested through www.MichiganValuesLife.org/ or by calling Right to Life of Michigan at (616) 532-2300. Please note that petitions MUST NOT BE PHOTOCOPIED, DOWNLOADED, OR PRINTED. All petitions MUST be original documents obtained from ***Michigan Values Life***.

Where can I find more resources?

Additional, MCC-specific information on the ***Michigan Values Life dismemberment abortion ban*** can be found at www.micatholic.org/MichiganValuesLife/.