



February 2008

## Stem Cell Breakthrough Uses No Human Embryos

By Dave Andrusko

*National Right to Life News, December 2007*

*“Scientists have made ordinary human skin cells take on the chameleon-like powers of embryonic stem cells, a startling breakthrough that might someday deliver the medical payoffs of embryo cloning without the controversy. ... ‘This work represents a tremendous scientific milestone the biological equivalent of the Wright Brothers’ first airplane,’ said Dr. Robert Lanza, chief science officer of Advanced Cell Technology, which has been trying to extract stem cells from cloned human embryos. ‘It’s a bit like learning how to turn lead into gold,’ said Lanza.”*

November 20, Associated Press

In the messy world of bioethical politics, truth and stands taken on the basis of principle don’t necessarily carry every day. But sometimes they can carry THE day.

Two incredibly important research papers, published online November 20, completely vindicate President Bush. Two renowned researchers have published results which show that embryonic-type stem cells can be produced directly from ordinary human cells, such as a skin cell, without first creating an embryo.

The work of Dr. James Thomson, published in *Science*, and Prof. Shinya Yamanaka, published in *Cell*, potentially means that all the controversies sparked by the use of stem cells from human embryos/cloning can be averted. No more persuading parents to “donate” so-called “spare embryos”; no more human embryos lethally harvested; no more creating human life (by cloning) to destroy it in a mad dash for stem cells; and no more inducements to women to super-ovulate to produce mountains of unfertilized human ova.

Writing about all the many ethically acceptable alternatives that have shown such promise in the wake of President Bush’s firm stance, bioethicist Wesley J. Smith concluded, “I believe that many of these exciting ‘alternative’ methods would not have been achieved but for President Bush’s stalwart stand promoting ethical stem-cell research.”

Writing at [www.nationalreview.com](http://www.nationalreview.com), Smith observed, “Indeed, had the president followed the crowd instead of leading it, most research efforts would have been devoted to trying to perfect ESCR [embryonic stem cell research] and human-cloning research—which, despite copious funding, have not worked out yet as scientists originally hoped.”

So, what exactly did Drs. Thomson and Yamanaka discover? The lead paragraph of the San Francisco Chronicle story summarized the

breakthrough this way: “Separate teams of scientists on two continents are reporting today that they have transformed ordinary human skin cells into stem cells using a technique pioneered last year in laboratory mice.” In other words, what Dr. Yamanaka demonstrated over the past year or so would work in mice—“direct reprogramming” (sometimes called “dedifferentiation”)—seems to work equally well in human beings.

The labs used different cell types. Yamanaka’s team, working at Kyoto University, reprogrammed skin cells from a woman’s face while Thomson and his colleagues, housed at the University of Wisconsin-Madison, worked with foreskin cells from a newborn, according to published accounts. After laborious trial-and-error, the teams inserted four genes into the skin cells “that are apparently used by eggs to start the natural embryonic development process,” the Chronicle reported, causing them “to produce a full complement of stem cells.”

Dr. Thomson said straightforwardly, “By any means we test them they are the same as embryonic stem cells.”

*results . . . show that embryonic-type stem cells can be produced directly from ordinary human cells, such as a skin cell, without first creating an embryo.*

There are many other noteworthy facets to this powerfully encouraging story. For one, it is apparently now okay for reporters to point out the major problems associated with embryonic stem cells and cloning,

even if they did not mention that all therapies to date have been based on stem cells obtained from ethically unobjectionable sources, such as skin, fat, bone marrow cells, cord blood, and amniotic fluid.

For another, we learn that Ian Wilmut (of Dolly the cloned sheep fame) has forsworn the use of cloning to produce stem cells and plans to pursue direct reprogramming instead. Wilmut told the Daily Telegraph, “The odds are that by the time we make nuclear transfer work in humans, direct reprogramming will work too.” He added, “I am anticipating that before too long we will be able to use the Yamanaka approach to achieve the same, without making human embryos. I have no doubt that in the long term, direct reprogramming will be more productive, though we can’t be sure exactly when, next year or five years into the future.”

Wesley Smith’s well-deserved tribute to President Bush put it best. Because of his “courageous leadership,” Smith wrote, “we now have the very real potential of developing thriving and robust stem-cell medicine and scientific research sectors that will bridge, rather than exacerbate, our moral differences over the importance and meaning of human life.”



## Thought You'd Like To Know . . .

British actuary Patrick Carroll, Research Director of the London-based Pension and Population Research Institute, has published a ground-breaking paper on projections of future breast cancer incidence in Europe in the Fall 2007 issue of the *Journal of American Physicians and Surgeons*. The purpose of the research was to analyze the last four decades of breast cancer incidence statistics in eight European countries from the point of view of known risk factors, in order to make accurate predictions of future trends. The factors examined were age at first pregnancy, number of children (parity), having no children (nulliparity), breast feeding, use of hormonal contraception, use of hormone replacement, and abortion. The stunning finding was that abortion was the strongest predictor of breast cancer rates.

Of particular interest is the fact that Carroll was able to explain the long-documented, but previously mysterious, reverse social gradient observed in breast cancer research. Namely, unlike other cancers, the incidence is higher in the higher socioeconomic brackets. According to Carroll, abortion is the only variable that can explain it.

Breast Cancer Prevention Institute Report 12/2007

In 2006, the U.S. welcomed 4.3 million babies — the most in 45 years. Births were more common in almost every age, racial and ethnic group. Global data show the U.S. has a higher fertility rate — 2.1 — than every country in continental Europe, as well as Australia, Canada and Japan. A larger population is the primary reason for the “baby boomlet,” but there also are more opportunities for mothers to work from home. It also is more common for American husbands to help with chores and child care than in other countries.

“This is very positive,” said Carrie Gordon Earll, senior analyst for bioethics at Focus on the Family Action. “To me, it says Americans are pro-child. And the fact that they continue to have children speaks to the resilience of the pro-life message.”

CitizenLink.com 1/16/08

### ***Petition Gatherers and Letter Writers Wanted!***

The Missouri Cures Without Cloning Campaign needs you to get involved! To sign up to gather signatures. To volunteer to write letters to the editor on the cloning issue. Please go to the MRL website, [missourilife.org](http://missourilife.org), or call 573-635-5110 and volunteer to write letters and/or a gather signatures. Once you sign up, you will receive a packet with information on the campaign and to assist you in writing letters to the editor.

**Don't delay! Call today!**

## What to Watch in the 2008 Session

Jim Cole, General Counsel & State Legislation Chair

**Missouri Right to Life is offering** state legislators a variety of pro-life bills in 2008 to increase legal protection of human life. One bill would require greater precautions against coercion in abortions, including a requirement that a sign be posted at entrances and at the registration desk of abortion clinics telling women that no one can force them to have an abortion. Another bill would require abortionists to give women the opportunity to see an ultrasound and read state-sponsored materials on the subjects of the development of an unborn baby, the probability that an older baby will feel pain during an abortion, and the availability of alternatives to abortion with a directory of alternative offices.

In the struggle to reduce the abuse of human embryos for research, MRL is offering a bill to outlaw the creation of human-animal mixtures (chimeras).

Finally, in regard to end-of-life concerns, MRL is working to render neutral a proposal to amend the Anatomical Gift Act to facilitate the donation of body organs. Pro-life commentators such as Wesley J. Smith have warned against anti-life aspects of the proposed amendments.

The anti-life forces also will be hard at work. Expect to see the cloners of Washington University in St. Louis and the Stowers Institute of Kansas City attempt to suck ever increasing amounts of money out

of the state treasury for destructive embryonic stem cell research. They insist on the opportunity to kill human embryos, refusing to change their hard hearts in light of exciting recent discoveries that appear to show how to obtain pluripotent stem cells without killing. Also expect the abortion lobby to push hard for bills that would deny all conscience rights to pharmacists and would mandate some form of state endorsement for so-called “morning after” pills that in many cases cause abortions.

It is even possible that the abortionists will again seek ratification of the federal ERA from the 1970's. The ERA is a throwback but quite dangerous, like an iceberg in calm seas. Beneath the placid surface of its wording lies the danger that no regulations on abortion would survive after ratification because all abortion regulations would be seen as discriminating against women. The ERA would have the same effect on the pro-life legislation we have worked so hard for 35 years to obtain as the iceberg had on the Titanic.

As your voice in the state legislature, MRL will continue to work hard to advance the cause of life, and your help in persuading legislators to protect life will be greatly needed in this election year.

## The Aborted States of America - The Price of Choice



Pam Fichter

On January 22, 1973, the Supreme Court of the United States struck down all existing state laws protecting the lives of unborn children.

*Roe v. Wade* legalized abortion for any reason during the first three months of pregnancy and for the final six months if the mother's "health" was threatened. Then in *Doe v. Bolton*, decided concurrently with *Roe*, the court defined "health" to be anything an abortionist wanted it to be. As a result of these two decisions, unborn children in the United States can be legally aborted for the full nine months of pregnancy.

The Center for Disease Control reports that since 1973, close to 50 million unborn children have been surgically aborted in the United States.

On this 35<sup>th</sup> anniversary of abortion on demand, it is well that we examine the price of "choice."

To visualize the loss of fifty million people in our country, consider that that number represents the cumulative populations of Arkansas, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, and Wyoming.

These are "The Aborted States of America." This is the price of choice.

This is the legacy of *Roe v. Wade*.

While the moral implications far outweigh the economic impact of *Roe*, economics is a relevant question. Fifty million fewer parents have shopped for bottles, diapers, toys, booties, or schoolbooks. There are now fewer teachers, union members, and nurses who would have been needed to teach those fifty million aborted children, to manufacture goods for them, or to keep them healthy. Fifty million fewer workers are not earning, spending, saving, investing, paying taxes, buying houses or cars.

If abortion had not been legalized in 1973, approximately 20 million more people could now be employed. An average income of \$20,000 per year totals over \$400 billion annually. Each year, they could be contributing over \$8 billion to Medicare, and \$24 billion to Social Security. Abortion has left fewer young people to

care for the baby boom generation as it prepares for retirement. Some economic forecasters predict that unless we raise taxes, cut benefits, or overhaul both systems, Medicare will be bankrupt in the 2020s and Social Security in the 2030s.

The price of choice will affect every American.

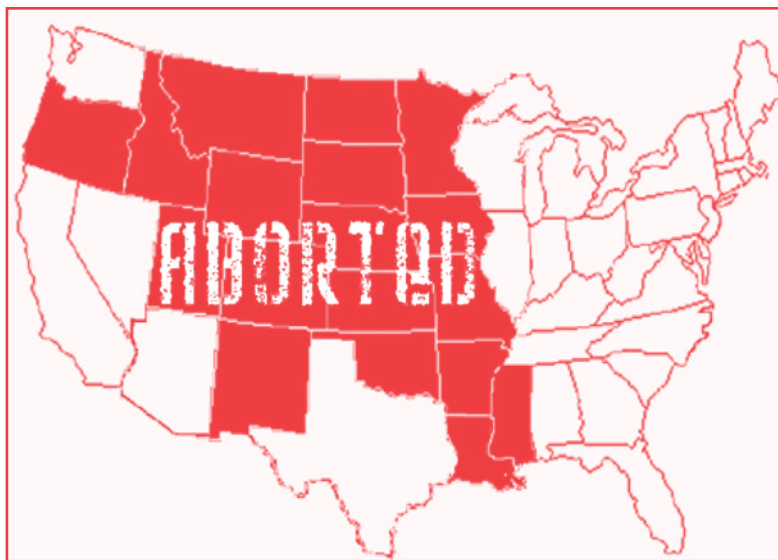
Abortion has disproportionately impacted the black community. While black women represent only 12% of the female population of the country, they obtain 35% of all U.S. abortions. According to the Center for Disease Control, more African-American babies have been aborted during the past 35 years than the total number of African-American deaths from all other causes combined. Blacks are the only declining population in our country.

Post-abortive women also pay a price. They suffer physically and emotionally with higher rates of sterility, miscarriage, depression, substance abuse, and suicide. Their risk of breast cancer increases as confirmed in 28 out of 37 studies worldwide. According to the Guttmacher Institute, over half of post-abortive women claim that they were coerced into obtaining an abortion.

Americans increasingly agree that the price of choice is too great. Recent polls by *Time Magazine*, Fox News, Harris, The Pew Research Center, and others show a clear pro-life margin on the issue of abortion reflecting a shift in public opinion for the first time in 35 years. More and more Americans disagree with *Roe's* abortion on

demand for the full nine months of pregnancy.

*Roe* represents a desertion of our country's founding principles, a tremendous price to pay. That America has the most permissive abortion regime among the world's democracies is a denial of the American promise of justice for all. We have been betrayed by a Supreme Court decision which ignores the moral truths upon which our founding fathers relied "...that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." America, it is time to respect and protect the Right to Life and restore the greatness to which we aspire.



Map courtesy of [www.CpForLife.org](http://www.CpForLife.org)

# *How to Talk to Your Patient About an Advance Directive*

## **An educational brochure of National Association of Pro-Life Nurses**

*Part One of National Association of Pro-Life Nurses information on many end-of-life issues is presented below. It will be continued in the next issues of MRL News.*

An Advance Directive is a legal document indicating a patient's wishes regarding treatment in the event that an illness will incapacitate the patient and render him or her unable to communicate those wishes. The Living Will was the first type of such document to be introduced.

A Living Will spells out one's treatment decisions in a fairly detailed way. The individual invests his decision-making power in the document. They are generally thought to be documents which indicate how a patient wishes to be treated in the event of a medical problem which leaves the patient unable to declare his or her wishes. But in fact, they fall woefully short of this goal.

### **Problems**

The major problem with a Living Will is that it cannot foresee the specific circumstance with which the patient is faced when the Living Will is invoked. The template is not individualized to a patient's unique condition at the time of need for the document. Additionally, they do not provide for informed consent for the specific condition and do not address how or if the document functions when a condition is reversible and treatable. Most incriminating is that Living Wills have the potential to be interpreted as a Do Not Resuscitate (DNR). The truth is that this document is the preferred choice of euthanasia enthusiasts because of the standard form's general presumption for death. They were devised and promoted by the euthanasia proponents in the 1970's as a tool for *denying* treatment. Since then, they have been adopted by much of the medical/legal profession with the blessing of the cost containment driven medical providers.

### **Requirement?**

It is not obligatory to sign a Living Will as some providers would lead you to think. No one must sign one or any other advance directive in order to receive treatment.

### **Alternatives**

There are safer alternatives to the Living Will. Several versions are available. The first caution is that each state has individual laws governing the format, language, conditions and other legal perspectives of them. It would be wise to investigate any document you might consider to be sure it meets the criteria of the state in which you reside.

These safer alternatives are known by different names in

different states, but they all name a proxy, i.e., someone who is appointed in advance by the patient to make medical decisions for the patient in the event of loss of decision making capacity. It, therefore, allows for decisions based on an actual situation, not a hypothetical one.

We will call them by their most common name, Durable Power of Attorney for Health Care.

### **Selection of a proxy**

Because the proxy selected will make life impacting decisions for the patient, great care must be taken in the selection. It needs to be someone who knows the patient well enough to be reasonably certain he or she would make the same decision as the patient. It may not be a family member or even a spouse if there is disagreement on this issue. Also, it is wise to name a secondary and a tertiary proxy in the event the primary is no longer able to act in this capacity.

*The truth is that (a Living Will) is the preferred choice of euthanasia enthusiasts because of the standard form's general presumption for death.*

## **SOME THINGS TO DISCUSS WITH YOUR PROXY**

### **Terminal illness**

Treatment sought when the patient is not expected to survive could be vastly different if the patient will recover from his or her illness. Both scenarios must be taken into consideration.

### **Competency**

Unless the patient is declared incompetent or is physically unable to direct his or her care, the patient is ALWAYS to be the first decision maker. Every effort must be taken to get input from the patient as to the extent of treatment desired.

### **Brain Death**

There is a wide range of interpretation of the term "brain death". Some ethicists even reject any interpretation altogether claiming there is no such condition. The definition used by those favoring life generally includes an EEG indicating no brain activity.

continued next issue

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**Presented by Nurses for Life, [webpage nursesforlife.org](http://webpage.nursesforlife.org). Any inquiries may be directed to Nurses for Life through their webpage.**

*"We know that these challenges can be overcome, because history moves in the direction of justice. The evils of slavery were accepted and unchanged for centuries. Yet, eventually, the human heart would not abide them. There is a voice of conscience and hope in every man and woman that will not be silenced -- what Martin Luther King called a certain kind of fire that no water could put out. ... This untamed fire of justice continues to burn in the affairs of man, and it lights the way before us."*

These remarks delivered July 8, 2003, by President Bush on Goree Island, Senegal, also seem appropriate as we remember the 35th anniversary of *Roe v Wade*. For the millions of pro-life people who continue the march, the fire will not be quenched until respect for life is restored in our country.

# 10 REASONS

## Why The Pro-Life Movement Is Winning

1. **The Survivors** The surest sign of our ultimate victory is the strong and ever-growing involvement of young people in all aspects of the fight to end abortion.

2. **Conversions** Another reason for confidence is simply to look at the flow of conversions. In which direction does it go? It goes from pro-abortion to pro-life. There is, for example, an international organization of former abortions providers called the Society of Centurions.

3. **I Regret My Abortion** Another clear sign of progress is the wave of women and men who are speaking out about how they regret having their child killed by abortion. The "Silent No More Awareness Campaign" provides these women and men an opportunity to share their testimonies in public gatherings, before the media, in pulpits, and in legislative hearings.

4. **Few Doctors, Fewer Mills** Over half of America's free-standing abortion clinics have closed since 1993 -- from over 2,000 at that time to roughly 740 today.

5. **Legal Evidence Mounts** In Constitutional history, the rights of groups that have been oppressed -- African Americans, children, women, and workers -- have eventually been vindicated. As Courts heard more evidence of the harm that was done to these groups, they reversed prior Court decisions. The evidence of the unborn child's humanity, as well as the harm abortion does to women, is being introduced in court cases. As the body of scientific evidence continues to mount, one day in the not too distant future the Courts will be forced to recognize the personhood of the unborn child and accord him the right and protections of our U.S. Constitution.

6. **Science** Another motive for confidence is the growing mountain of medical, psychological, and sociological evidence that abortion harms women, men, and families.

7. **No More Arguments** Another sign of victory is that the other side has run out of arguments. Abortion advocates assured everyone that legalized abortion would reduce child abuse, strengthen family life, and improve society. But all the evidence shows that after three decades of legal abortion, all these problems have gotten worse.

8. **Even In Politics** Voters for whom abortion matters in the decision vote in favor of pro-life candidates by a two to one margin. Even the 2006 election shows this. In a political climate that was hostile to many pro-life candidates, the data shows that it was so for reasons other than abortion. Some 36% of voters said that abortion affected their vote. Within that group, 23% voted pro-life and only 13% pro-abortion.

9. **Legislation Galore** The last several years have seen unprecedented legislative progress on behalf of the unborn child. On the federal level, for the first time, an abortion procedure -- so-called "partial birth abortion" -- has been declared illegal. The "Born-Alive Infants Protection Act" protects the unborn child from being killed after a failed abortion. The "Unborn Victims of Violence Act" protects the unborn from acts of violence other than abortion. And on the state level, laws are in place that have reduced the numbers of abortion.

10. **Corruption Uncovered** The evil inner workings of abortion are being exposed for all to see. These crimes include medical malpractice, sexual abuse, injury and death that routinely occur in so-called "safe and legal" abortion clinics, doctors not sterilizing instruments, "anesthesiologists" who have no training in anesthesia, "abortions" committed on women who were not pregnant, falsifying medical records, and much more. What's more, the abortion industry creates a safe haven for sexual predators. Beyond the abuse of the patients, abortion clinics are rampant with violations of OSHA standards and other employment laws.

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660-827-5297

## Memorials

*In memory of a loved one or friend,  
these gifts were made to  
Missouri Right to Life.*

### In Memory of:

*Dr. Robert Miller*

*Judy Collins*

*Ruth Ann Higgins*

*Linda Burkemper*

*James P. Bick*

### Given by:

*Robert & Margaret Horn*

*Maria & Gerry Everding*

*Don & Shirley Andrews*

*Linda Tochtrop*

*Pam & Tom Fichter*

*We encourage you to consider a gift in memory of a family member or friend. Your gift will support pro-life work to restore respect for the sanctity of life.*

## Missouri Right to Life Oratory Contest - 2008

Pro-life students from Missouri are encouraged to participate in the annual Missouri Right to Life Oratory Contest.

Eligible high school students must deliver an original speech of five to seven minutes on abortion, infanticide, euthanasia or stem cell research. Students are encouraged to use up-to-date, factual information in the construction of their speeches. The competition and prizes will begin at regional levels, and the winners from each region will then move on to the MRL State Oratory Contest that will be held on Saturday, April 12, in Jefferson City.

The winner of the Missouri Right to Life State Oratory Contest will receive a scholarship prize, an award plaque, and will go on to compete at the National Right to Life Contest which will be held at the National Right to Life Convention in Arlington, Virginia, on July 5th, 2008.

We encourage all pro-life students to get involved in the contest. This is a great opportunity to hone speaking skills, meet other pro-life students, speak out on issues vitally important to our country, and compete for college scholarship money.

Students interested in participating should call the MRL State Office at 573-635-5110 or the coordinator listed for your area.

### Oratory Contest Coordinators

#### **Eastern Region**

Judy Ferguson  
1708 Koala Dr.  
Wentzville, Mo.  
63385  
636-887-0112  
momferg@charter.net

#### **Mid-state Region**

Bonnie Diefendorf  
33320 Bluhm Rd.  
Smithton, Mo. 65350  
(H) 660-343-5773

#### **Northeast Region**

Geri Graves  
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Hannibal, Mo. 63401  
573-221-3410  
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#### **Southwest Region**

Carl Schimek  
606 Hightower Ave.  
Nixa, Mo. 65714  
417-725-9444  
carl725@aol.com

#### **Western Region**

Nancy Sanders  
6006 N.W. 101st Ter.  
816-468-4491

## MRL InFocus

### Jim Cole



What a fantastic thing to have someone serving Missouri Right to Life who has biblical qualities! Specifically, the wisdom of Solomon and the patience of Job.

As General Counsel and State Legislation Chairman for Missouri Right to Life, Jim Cole has demonstrated so many qualities to be imitated and admired by those with whom he toils in the pro-life movement, but none compare to his wisdom and patience. Whether crafting pro-life legislation or answering legal questions that are part of the day-to-day operation of MRL, he earns our respect by the calm understanding he brings to these tasks.

Jim's ability to craft meaningful legislation is superb. He has had a hand in shaping the majority of pro-life protections that are in the Missouri statutes. In his quest for meaningful legislation, Jim has conferred with the best and researched long hours -- as well as responded with patience to the many questions and concerns that inevitably arise in that process.

And always he takes the time to talk with volunteers, members, or legislators who inquire about legislation, statutes, or the workings of Missouri Right to Life.

Jim received his law degree in 1978 from Harvard University. He and his wife, Ann, helped found Birthright of Kirksville and worked with it throughout the 1980's, during which time Jim also gave pro-life talks at Northeast Missouri State University. Additionally, he was chairman of the MRL-Kirksville Chapter, Northeast Region Vice Chairman, and Vice President and then President of the MRL State Board. In 1995, Jim served as the Missouri delegate to the National Right to Life Board. He is currently on the MRL-Eastern Region board, as well as serving in his other volunteer positions.

Jim and Ann are the parents of seven children -- maybe that's where the wisdom and patience were born! They live in St. Louis County and are members of Seven Holy Founders Catholic Church.

There is a rule that says no one is irreplaceable. And there is also the axiom that there is an exception to every rule. Though Jim would humbly reject the opinion, we at Missouri Right to Life know that he just may be the exception to that rule!

*Happy is the man that finds wisdom, the man who gains understanding. For the merchandise of it is better than the merchandise of silver, and the gain thereof than fine gold. She is more precious than rubies: and all the things thou can desire are not to be compared unto her.*

*Proverbs 3:13-15*

## Missouri Right to Life - Western Region Celebrates Life at Annual Banquet

November 12, 2007 was a great time of "celebrating life" at the annual Western Region Appreciation Banquet. We are grateful to all who work -- day in and day out -- in so many ways to protect innocent human lives that hang in the balance of a woman's or a man's choice. The banquet was a time of thanksgiving to all those workers.

The music was great! Attendance was great! The fellowship with pro-life workers from many aspects of the battle was great!

Awards were given to many deserving workers who have spent their lives working to protect innocent human lives.

The Volunteer of the Year Award is given to recognize those who give so freely of their time, efforts, and talents. This year's recipients from the Western Region were Beth Sykora and John Morris, while the Eastern Jackson County awarded theirs to Betty Newport and to Bob Morris, and the Pony Express Chapter recognized Bill & Veronica Werner.



Dick Bott of Bott Radio Network speaks after receiving the Joe Palermo Award from Missouri Right to Life - Western Region at their annual banquet.

The Western Region Joe Palermo Award for lifetime achievement within the pro-life community was conferred on Dick Bott, Stella Sollars, and Marjorie Chrisman.

Receiving the Bob Douglas Award for Outstanding Political Action were State Senator Matt Bartle and U.S. Representative Sam Graves.

Special recognition by the North Kansas City Chapter was accorded to Shara & Mike Sweeney for outstanding service to the pro-life community.

If you would like to get more involved, call the Western Region office at 816-353-4113 or our State Office at 573-635-5110. There is much work to do! We need you!



The Pony Express Chapter awarded their Volunteers of the Year Award to Bill & Veronica Werner (third and fifth from the left).

### Help Wanted

Missouri Right to Life Eastern Region has an opening for a part time office manager in St. Louis. This would be approximately 15 hours per week with a salary of \$10 per hour. If interested, please send your resume to Missouri Right to Life, 711 Old Ballas Road, Suite 127, St. Louis MO 63141.



Jim Cole, General Counsel

### STATUS: ABORTIONISTS' LAWSUITS ON CLINIC REGS

When the 2007 pro-life statute requiring abortionists to adhere to the state's health standards for ambulatory surgical centers was set to go into effect last August, Planned Parenthood filed a federal lawsuit in Kansas City claiming it was unconstitutional. Late in October, PP filed a second lawsuit, this time in Missouri state court in Kansas City.

In the federal lawsuit, Planned Parenthood v. Drummond, case no. 07-4164 (Western District of Missouri), U. S. District Judge Ortrie Smith issued a preliminary finding on September 28, 2007, that it was unreasonable to force an abortion office that dispensed only abortion pills and did not perform surgical abortions to comply with surgical center standards. (This, despite the FDA's requirement that abortionists have surgical facilities immediately available to them when they dispensed the pills because of the horrendous bleeding problems that the pills induce in many women.) Turning to the

surgical abortion clinics, Judge Smith ruled that not all of the State's detailed construction regulations on surgical centers would be applied to existing clinic buildings, in view of the cost of remodeling that would be required. Apparently in an effort to avoid a tedious, drawn-out trial to determine which specific regulations would be reasonable, Judge Smith gave the parties 30 days to negotiate an agreement on that subject.

The parties have since sought multiple extensions of the negotiating deadline. As of press time, the deadline appears to be March 7, 2008. On that date, the judge will hold a status conference to learn the status of the negotiations and perhaps set a trial date for a final determination of the issues.

In the state-court case, Planned Parenthood v. Drummond, case no. 0716-CV30805 (Circuit Court of Jackson County), motions to dismiss have been filed by the defendants, who include the State Director of Health, the Attorney General for the State, and the Prosecuting Attorney of Jackson County. At press time, a date for hearing arguments on the motions had not been set. It is likely to be weeks before any substantive rulings are made in the case.

### STATUS: INITIATIVE LITIGATION

Litigation against the Secretary of State to correct her calculatingly prejudiced sum-

mary of the Cures Without Cloning Initiative continues in the Circuit Court of Cole County in Jefferson City. A trial date has been set for February 20, 2008, before Honorable Patricia Joyce. Various motions that attempt to mold the issues to be tried will be heard by the judge on January 15, 2008. Readers may recall that Secretary Carnahan's summary was so outrageous that columnists in the state's metropolitan newspapers — hardly bastions of pro-life zealotry -- protested it

In a separate case on an unrelated initiative, Judge Richard Callahan, another circuit judge in Cole County, ruled that the Secretary of State had failed the legal standard to draft a fair and unbiased ballot summary. (Asher v. Carnahan, January 7, 2008.) Legal observers believe it is the first time in the almost 90-year history of initiatives in Missouri that a judge has determined that the Secretary of State's summary of an initiative violated the law. (There was one case in the 1990's in which the fiscal note was found deficient by a circuit judge, but not the ballot summary.)

The Secretary of State has announced she will appeal Judge Callahan's decision. It is not known whether the Asher precedent will provide any assistance to the pro-life side in the Cures Without Cloning case, but it cannot hurt.

**MISSOURI RIGHT TO LIFE HOSTS  
EXHIBIT BOOTH AT  
MISSOURI BAPTIST CONVENTION**

Missouri Right to Life (MRL) was pleased to host an exhibit at the 173<sup>rd</sup> annual meeting of the Missouri Baptist Convention at the Lake of the Ozarks Tan-Tar-A Lodge on October 29-31, 2007. We are grateful to Missouri Baptists for the resounding show of support and encouraging words for the work that MRL does. We are very blessed to be able to work with Missourians from all walks of faith to stand together and protect innocent human lives.

If your church or denomination is holding an annual convention or meeting in Missouri and would like to have an exhibit by Missouri Right to Life, please contact our state office at 573-635-5110 and we will make arrangements to be present at your event.



President Pam Fichter and Legislative Liason Susan Klein at the Missouri Right to Life booth at the Missouri Baptist Convention

Have you returned your membership for 2008? You know that we depend on you! If you haven't yet done so, please return your recent membership mailing or use the envelope enclosed with this *MRL News*. Thanks so much for joining us in supporting *LIFE*!



P. O. Box 651  
Jefferson City MO 65102

# Pro-Life Action Day

**Tuesday, March 11, 2008  
Sponsored by Missouri Right to Life  
Missouri State Capitol**

Be there to meet your legislators and express your support for pro-life legislation

**The following is contact information for transportation to Pro-Life Action Day from various areas of the state.**

Cape Girardeau Area

Kathleen Keesee 573-334-7298 kkeesee@charter.net

Hannibal and Northeast Missouri

Geri Graves 573-221-3410 hgraves@warpdriveonline.com  
Sue Wortmann 660-291-8585

Johnson County – Warrensburg

Michael McCormick 660-864-3136 kar4296@yahoo.com  
Michael Nations 660-441-1526 mnations@hotmail.com

Joplin and SW MO Area

Sandi McReynolds 417-623-8334 sanandmac@gmail.com

Kansas City Metro Area

MRL Western Region Mary 816-353-4113 mrl.wr@juno.com

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Jeffrey Goettmoeller 660-562-3743  
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Springfield Metro Area

Dave Plemmons 417-732-7417  
email contact preferred dave.plemmons@sbcglobal.net

St. Louis Metro Area

MRL Eastern Region Office 314-567-0014

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