

# The Detroit News

## Michigan Catholic leaders tout 'dismemberment' abortion ban, not 'heartbeat' bill

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Published 10:30 p.m. ET June 27, 2019

As volunteers start to gather signatures for two anti-abortion petition initiatives, Michigan Catholic leaders are encouraging parishioners to support only one of them.

The Michigan Catholic Conference sent advisories to the state's 700 Catholic parishes this week warning them that an initiative that would ban abortion after the detection of a fetal heartbeat "could weaken and potentially supersede Michigan's existing ban on all abortions." The conference is the public policy arm of the Catholic Church in Michigan.

Brenda Rohn, of Sterling, holds a sign during an anti-abortion rally on the Capitol lawn in Lansing on Saturday, June 15, 2019, held to mobilize volunteers to collect petition signatures for an initiative that would ban abortions after a fetal heartbeat is detected. (Photo: Beth LeBlanc/The Detroit News)



The lack of support from Michigan's Catholic leaders could spell trouble for the heartbeat coalition, which planned, starting July 3, to use a network of churches and other venues to circulate its petition and gather signatures.

The concern about the heartbeat initiative's impact on existing state law was first voiced by Right to Life of Michigan, which aligns with the Michigan Catholic Conference in support of a separate petition that would ban dilation and evacuation abortions — called dismemberment abortions in the petition language.

Detroit Archbishop Allen Vigneron, chairman the Michigan Catholic Conference, said the church in Michigan supports "sound and reasonable public policies," including the dilation and evacuation abortion ban. But Vigneron expressed reservations about the heartbeat initiative.

The local move came after the U.S. Conference of Catholic Bishops last week asked the Michigan Heartbeat Coalition to take down information on its website that said the conference supported the initiative.

“While the proposal advanced by the ‘heartbeat’ coalition shares the goal of ending abortion, it appears to raise the possibility of negatively impacting existing law in Michigan that protects all unborn human life, which only lies dormant due to the Roe v. Wade decision,” Vigneron said in a statement.

The heartbeat coalition blamed the development on the powerful Right to Life group.

“We hate to see political alliances with Right to Life get in the way of this initiative,” said Corey Shankleton, president of the Michigan Heartbeat Coalition. “I think, unfortunately, Right to Life has spread talking points that have been proven to not be true.”

Voters are able to sign both petitions if they wish, but cannot sign any one initiative twice.

**Right to Life of Michigan President Barbara Listing speaks at the kick off of the group's signature gathering process in Lansing on Wednesday, June 26, 2019 for a petition initiative that would ban dilation and evacuation abortions in Michigan. (Photo: Beth LeBlanc/The Detroit News)**



## 'Dismemberment' ban backed

On the same day Right to Life of Michigan began gathering signatures Wednesday for the dismemberment abortion ban, the Michigan Catholic Conference mailed a one-page outline of its support for the ban and its opposition to the heartbeat petition to 700 parishes.

The conference requested that the parishes participate in the signature-gathering drive for the dismemberment ban and provided bulletin inserts, talking points and information on how to gather signatures, said David Maluchnik, a spokesman for the Michigan Catholic Conference.

“The dismemberment bill specifically prohibits a procedure, not a time frame,” Maluchnik said about the reason for the conference’s support of the initiative. “Our legal guidance is that the (heartbeat) initiative ... would very much undermine the existing prohibition on abortion in Michigan.”

The conference has worked with Right to Life of Michigan on four successful petition initiatives. They eliminated Medicaid support of abortion in 1987, required parental consent for a minor seeking abortion in 1990, imposed a partial-birth abortion ban in 2004 and prohibited the inclusion of abortions in health insurance plans in 2013.

Dismemberment abortions are a “gruesome procedure” common in the second trimester that requires “tearing the baby apart limb by limb inside the womb,” the conference said in its statement to parishes. There were 1,908 dilation and evacuation abortions in Michigan in 2018, according to the state Department of Health and Human Services.

The petition language bans dilation and evacuation abortions specifically on living fetuses, not ones already dead through miscarriage or an abortion injection. The initiative also makes exceptions for the health of the mother.

Because the language amends the existing 2011 partial birth abortion ban — a procedure ban that has survived legal challenges — the group has confidence the dilation and evacuation abortion ban will pass constitutional scrutiny, said Genevieve Marnon, legislative director for Right to Life of Michigan.

A dozen other states have passed similar bans, Marnon said, but it is only in effect in two of them. Court orders have delayed such measures from taking effect in eight other states and two others face legal challenges.

## Right to Life prepares volunteers

Volunteers gathering the required 340,000 signatures over the next six months will wear pins to specify they represent the dilation and evacuation ban, Marnon said. They have been trained with talking points on the differences between the heartbeat and dismemberment initiatives, she said.

"We've been trying to educate our people" to sidestep confusion between the two petitions, Marnon said, and prevent supporters from inadvertently signing any one petition more than once.

By Wednesday, Right to Life had received requests for 43,852 petitions, enough to collect 350,000 signatures.

Planned Parenthood Advocates of Michigan has opposed both proposed bans, which it argues are part of an "absolute coordinated effort across the United States to ban abortion."

The group plans to discourage people from signing the petitions, but "we do think they will get the needed signatures," said Lori Carpentier, president and CEO of Planned Parenthood Advocates of Michigan, the advocacy arm of Planned Parenthood.

"We're just going to try to put forth what they really do and leave it to the voters' good judgment to deny their signatures to the petition," Carpentier said. "Frankly, I think they both have legal issues and are sideways to the law of the land right now."

Both Right to Life and the Heartbeat Coalition hope to have their petitions enacted by the GOP-majority Legislature rather than allow it to go to voters next year.

When asked whether Right to Life would lobby legislators not to enact the heartbeat bill and instead allow it to go on the 2020 ballot, Marnon said "we'll cross that bridge when we come to it."

The Michigan Catholic Conference will encourage lawmakers to support the dismemberment ban, Maluchnik said. The conference may consider addressing legislators about the heartbeat legislation “should the heartbeat group gather enough signatures,” he said.

Rick Warzywak, a board member of the Heartbeat Coalition, sifts through signs during a rally on the Capitol lawn in Lansing on Saturday, June 15, 2019, to mobilize volunteers to collect signatures for a petition initiative that would prohibit abortions after a fetal heartbeat is detected. (Photo: Beth LeBlanc/The Detroit News)



## 'Heartbeat' organizers remain optimistic

While the Michigan Heartbeat Coalition planned to gather many signatures through churches and church organizations, the coalition believes its volunteers also could gather on sidewalks, at county fairs and along parade routes, Shankleton said.

The Heartbeat Coalition plans to mobilize 10,000 volunteers and collect 500,000 signatures, roughly 160,000 more than what's needed, before sending the plan to the Legislature for enactment.

Shankleton said several Catholic churches and priests as of Wednesday supported and planned to help collect signatures for the heartbeat initiative, which would require an ultrasound before an abortion and ban abortions where cardiac activity is detected.

That was prior to the Michigan Catholic Conference directive, which has considerable sway in individual dioceses and the parishes. In past elections, Maluchnik said, the conference has reminded parishes of “the long-standing prohibition of the distribution of election-year material in parishes unless published by the diocesan bishop, MCC or the U.S. Conference of Catholic Bishops.”

Shankleton told The Detroit News that the U.S. Conference of Catholic Bishops supported the national movement to ban post-fetal heartbeat abortions. But the USCCB spokesman said the organization made no such indications regarding the Michigan-specific initiative and had asked the Heartbeat Coalition a week prior to remove information from its website indicating the group's support.

As of Thursday, the Heartbeat Coalition still had not removed the U.S. Conference of Catholic Bishops from its list of national supporters.

“As a general rule, the USCCB does not take a position on state pro-life legislation (for or against) as that responsibility lies with the Catholic Conference in states where they exist,” said the U.S. Conference's Greg Schleppenbach.

## 'Arrow in the heart of Roe v. Wade'

Organizers expect and hope the heartbeat law, if enacted, is challenged in higher courts, like several others throughout the country. The goal is for the law eventually to be appealed up to the U.S. Supreme Court, where the conservative majority might overturn *Roe v. Wade*. The proposal is meant to be the “arrow in the heart of *Roe v. Wade*,” Shankleton said.

Ohio and Kentucky have passed heartbeat legislation, and Tennessee is not too far behind, he said.

“Once Michigan passes it, you’ll have a unanimous Sixth Circuit saying to the Supreme Court this is what we’re looking for,” Shankleton said.

But anti-abortion groups argue the heartbeat initiative would have a different impact in Michigan than in other states because of the state’s abortion law, a 1931 ban on all abortions that was upheld in 1973 within the context of the high court’s ruling that established a constitutional right to abortion.



Brandi Bonner, 28, of Kalamazoo, attends a pro-life rally on the Capitol steps in Lansing on Saturday, June 15, 2019, to mobilize volunteers to gather signatures for a petition that would prohibit abortions after a fetal heartbeat is detected. (Photo: Beth LeBlanc/The Detroit News)

Should *Roe v. Wade* be overturned, “at best, the heartbeat ban is then redundant,” the Michigan Catholic Conference told parishes. “At worst, the heartbeat ban could be interpreted to create a conflict in the law and replace the

1931 ban, actually allowing abortions up until a baby’s heartbeat is detected.”

The heartbeat petition’s language includes provisions that would require the state to revert to Michigan’s current abortion ban if *Roe v. Wade* is overturned, Shankleton said. The group has enlisted the help of the conservative American Center for Law and Justice to ensure as much, he said.

The heartbeat coalition supports Right to Life’s initiative and will be signing the petition, Shankleton said, but the group feels the national climate makes it possible to achieve more than incremental limitations on abortion.

“After 46 years of regulating abortion, Michigan is still No. 4 in the nation for abortions, Shankleton said. “The time for regulating abortion is ended. It’s time to end it.”

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