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***Legal memorandum refutes claims about Arkansas dismemberment abortion ban***

LITTLE ROCK, Ark. – A new legal memorandum released today by National Right to Life Committee refutes false claims being spread on social media about Arkansas Act 45, the Arkansas Unborn Child Protection from Dismemberment Abortion Act. Act 45 prevents one gruesome type of abortion, an abortion which dismembers the living unborn child.

**“Since pro-abortion activists don’t wish to openly defend the horrific dismembering of an unborn child in its mother’s womb, they resort to spreading misinformation about the law,”** said Carol Tobias, president of National Right to Life. **“Journalists writing about the Arkansas Unborn Child Protection from Dismemberment Abortion Act would be well-advised to review the law and our memo, to avoid spreading false claims.”**

The memo underscores that under the law, women seeking or obtaining an abortion will not face criminal or civil penalties or punishment of any sort; and that civil remedies contained in the law give standing to certain close family members only in an action against the abortionist and only with respect to the prescribed abortion method (one that dismembers a living child); civil damages are denied to any family member whose criminal behavior resulted in the pregnancy. The full memo can be accessed here:

<http://www.nrlc.org/uploads/stateleg/020517MemorandumAR45vF.pdf>

On January 26, Arkansas became the seventh state to enact a ban on dismemberment abortions. Pro-life Governor Asa Hutchinson signed the bill, which received overwhelming support in the Arkansas General Assembly. Act 45 is based on model legislation drafted by National Right to Life, which prohibits the use of the gruesome dismemberment abortion technique which uses steel tools to rip a living unborn child apart limb by limb.

**“When abortion textbooks describe in cold, explicit detail exactly how to kill a human being by ripping off arms and legs, civilized members of society have no choice but to stand up and demand a change,”** added Rose Mimms, executive director of Arkansas Right to Life.

D&E dismemberment abortions are as brutal as the partial-birth abortion method, which is now illegal in the United States.

In his dissent to the U.S. Supreme Court’s 2000 *Stenberg v. Carhart* decision, Justice Kennedy observed that in D&E dismemberment abortions, “The fetus, in many cases, dies just as a human adult or child would: It bleeds to death as it is torn limb from limb. The fetus

can be alive at the beginning of the dismemberment process and can survive for a time while its limbs are being torn off.”

Justice Kennedy added in the Court’s 2007 opinion, *Gonzales v. Carhart*, which upheld the ban on partial-birth abortion, that D&E abortions are “laden with the power to devalue human life...”

A medical illustration of a D&E dismemberment abortion is available here: [www.nrlc.org/abortion/pba/deabortiongraphic](http://www.nrlc.org/abortion/pba/deabortiongraphic).

Background materials on the bill are available on the National Right to Life website: [www.nrlc.org/statelegislation/dismemberment](http://www.nrlc.org/statelegislation/dismemberment). Included in the background materials is the testimony of Anthony Levatino, M.D., before the U.S. House Judiciary Committee Subcommittee on the Constitution and Civil Justice in May 2013, in which he described in great detail the D&E dismemberment abortions he once performed.

*Founded in 1968, National Right to Life, the federation of 50 state right-to-life affiliates and more than 3,000 local chapters, is the nation's oldest and largest grassroots pro-life organization. Recognized as the flagship of the pro-life movement, NRLC works through legislation and education to protect innocent human life from abortion, infanticide, assisted suicide and euthanasia.*

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