

## CATS AND DOGS HAVE MORE RIGHTS THAN BABIES

I'm inundated by the Yes on CI-128 campaign. But NOTHING supporting LIFE. As our election nears, I'm deeply concerned about the absence of information opposing CI-128 in Montana. The lack of parity in newspapers, tv, radio, mail, and elsewhere is astonishing.

CI-128 will amend our Montana Constitution to provide the “right to abortion” based upon “fetal viability”. In 1973, the U.S. Supreme Court established a woman’s legal right to terminate pregnancies. **The pivotal question: When does life begin?** After enormous debate, the Supreme Court chose fetal viability to answer this question. In the 50 years since Roe v Wade, countless medical advancements have significantly improved and extended fetal viability.

Accordingly in 2022, the U.S. Supreme Court found no constitutional right to abortion and rejected the trimester framework to establish fetal viability. **However, the Court empowered the 50 states to decide when life begins.** As it should. Here in Montana, we value less federal interference.

### What's missing in Montana's public square?

Montana doesn’t need outside money to decide what rights and responsibilities Montana women have under Montana law. **Total contributions opposing CI-128: \$191,362. Total contributions supporting CI-128: \$16,482,666.** [Ballotpedia] How much of this is out-of-state interference? Why do people elsewhere care what Montanans want to decide about Montanans?

My Montana education taught me that rights go hand in hand with responsibilities. For instance, the right to vote includes the responsibility to be an informed voter. Please read the full text of CI-128. Its drafters apparently failed to do their homework, because our proposed constitutional amendment is based on “fetal viability”.

### Check out the language of Roe v Wade as compared to CI-128:

[Roe v Wade (1973), defined the beginning of life as “the interim point at which the fetus becomes ‘viable,’ that is, potentially able to live outside the mother’s womb, **albeit with artificial aid.**”

CI-128 defines life as “the point in pregnancy when, in the good faith judgment of a treating health care professional and based on the particular facts of the case, there is a significant likelihood of the fetus’s sustained survival outside the uterus **without the application of extraordinary medical measures.**”]

Montana’s legislature has passed laws [1997, 2017, 2019] and Montana’s courts have ruled on abortion [1997, 2017, 2024] further defining abortion rights. Amending our constitution to enshrine rights that ultimately cannot meet the fetal viability test is a waste of time and money. If CI-128 passes, it will assuredly be tied up in court from its inception. Our courts are already overburdened.

Between 1973 and 2021, legal abortions—per 100 live births—ranged between 18 and 36. [Statista 2024] Using CDC data, Statista reported there were over 40 million abortions between 1980 and 2020. Between 1973 and 2023, the Guttmacher Institute reported over 60 million abortions. The Brookings Institute found “the vast majority of abortions (about 95%) are the result of unintended pregnancies.” [May 2024]

**50 years of evidence indicate women choose abortion because it’s legal.**

**Abortion is the act of ending a pregnancy so that it does not result in the birth of a baby.**

Most arguments for abortion rights regard rape, incest, fetal health, and mother health. Rape-related pregnancies in U.S. range from 3 to 5%. [Wikipedia] Two separate studies found the total percent of abortions due to incest, rape, fetal health, and mother health was less than 8%: Incest (0.01%), Rape (0.05-0.15%), Fetal health (0.95-3%), Mother's health (1.34%-4%), or Mother's life endangered (0.15%). [Guttmacher Institute]

**Apparently, the other 92% of abortions occurred because it was inconvenient.**

The FDA approved oral contraception in 1960. In 1973, besides over the counter condoms and spermicides, doctors offered "the pill," diaphragms, IUD, and sterilization. Since then, there have been countless medical advancements to prevent pregnancy. Yet, unnecessary abortions persist.

Seems logical that abortion rights include responsible contraceptive use. Adoption is a responsible choice: think of it as a brief, 24- to 40-week sentence for unprotected sex.

For all of this, in the 50 years since Roe v Wade, the pivotal question is still not definitively known: When does life begin? **Countless medical advancements significantly improved and extended fetal viability as well as re-set the markers by which we humans have determined "fetal viability."**

Thanks to technology we now know fetal pain response is far earlier than schools of thought, in 1973, due to [ahem] the limits of what can be known. Yes, so much more is known about that teeny leetle zygote, the enigmatic embryo, and fully functioning fetus.

**92% of the 40 to 60 million abortions since 1973 occurred because it was inconvenient.** To put that number into perspective: the national birthrate in the USA is about 3.5 million per year. **So, the abortion rate is equivalent to 11 to 17 years of not one baby being born in the USA!**

Those who argued, in Roe v Wade, that women would responsibly choose abortion only in the most critical of circumstances. Wrong. If you need it, free contraception is available across the U.S. in many colors, shapes, and types.

Still, in 2021, 24% of women were having their 2nd abortion and 19% were having their 3rd or more abortion. [CDC] That's 43% of women having more than one abortion! 50 years of data. Abortion is treated like birth control. **If it's legal it's okay, right?**

**THESE DAYS, CATS AND DOGS HAVE MORE RIGHTS.** Over 60% of animal shelters in the U.S. have no-kill policies. Let's act responsibly and protect life from the beginning.

**Please help me get these talking points out there before the election.**

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