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“Let each citizen remember at the moment he is offering his vote that he is not making a present or a compliment to please an individual—or at least that he ought not so to do; but that he is executing one of the most solemn trusts in human society for which he is accountable to God and his country.”
Samuel Adams

Ohio Will Consider Abortion on November State Ballot

This November in Ohio, voters will be faced with [Ohio Issue 1](#). A “yes” vote on Ohio Issue 1 would make it a state constitutional right to “carry out one’s own reproductive decisions.” These “reproductive decisions” include abortion. The [amendment was proposed](#) after a law went into effect that prohibits abortions once a heartbeat is detected. This law was passed in 2019 and went into effect after the Supreme Court ruled in *Dobbs v. Jackson* that the states, rather than the court, have the constitutional right to decide the legality of abortion. Ohio’s abortion clinics charged that the state’s heartbeat law violated the state’s constitution, but the state argued that abortion is not mentioned in the constitution. A judge subsequently issued an injunction against the heartbeat law, keeping the law from taking effect while a lower court considers the case. Meanwhile, pro-abortion groups including the ACLU and Ohioans United for Reproductive Rights worked to get Ohio Issue 1 on the November ballot in an effort to put a right to abortion in the state constitution. If passed, this ballot measure will override Ohio’s heartbeat law and another pro-life law that protects life at 22 weeks.

Called “[Ohio Issue 1, Right to Make Reproductive Decisions Including Abortion Initiative](#),” the measure states that “every individual has a right to make and carry out one’s own reproductive decisions, including but not limited to decisions on contraception, fertility treatment, continuing one’s own pregnancy, miscarriage care, and abortion.” The amendment also includes a clause which purports to limit abortion after “fetal viability,” except in cases where it is determined necessary to “protect the pregnant patient’s life or health.” However, a [memo](#) prepared by Alliance Defending Freedom offers a thorough explanation of how the broad and vague language of the proposed amendment opens the door for abortions up to birth and also presents serious threats to parental rights. Barb Driehaus with the Ohio chapter of Democrats for Life [called](#) the measure “radical” and pointed out that it “removes all protections for the unborn, allowing for late-term abortion when the unborn child is capable of feeling pain, and puts teenagers at risk.” Protect Women Ohio board member Molly Smith also pointed to the allowance for abortion up to birth, [stating](#), “The practice of late-term abortion is so barbaric that Republicans *and* Democrats agree it should be banned.” The ballot measure fails to protect a parent’s rights by opening the door to allow a minor to have an abortion without her parent’s consent. The amendment uses the terms “individual” and “pregnant patient” rather than “adult,” “woman,” or “person over 18” which leaves the door open for a minor to get reproductive treatment without her parent’s knowledge. As early voting opened and the election day on November 7 draws near, several individuals and groups have strongly opposed the ballot measure. Gov. Mike DeWine and his wife, Ohio first lady Fran DeWine, recently released a [message](#) that calls on Ohioans to reject the measure. “I know Ohioans are divided on the issue of abortion,” said DeWine. “But whether you’re pro-life or pro-choice, Issue 1 is just not right for Ohio.”

Crisis Toolkit for Religious Institutions

Religious Freedom Institute (RFI) has created a [toolkit](#) to help religious institutions be prepared for attacks against their First Amendment rights, particularly religious liberty. RFI is an organization dedicated to advancing religious freedom in America and around the world through research and education. RFI describes religious liberty as a “fundamental human right, a source of individual and social flourishing, the cornerstone of a successful society, and a driver of national and international security.” The [purpose](#) of the RFI toolkit is to help religious institutions “navigate hostile media coverage and smear campaigns, avoid costly court cases, and respond to punitive government actions.” The toolkit includes three documents which offer practical suggestions in the areas of communication, internal governance, and community relations. The steps presented in the documents are intended to help religious institutions prepare for and navigate crises that may arise from an attack on the institution’s exercise of religious beliefs. “Morally orthodox institutions are particularly at risk of being attacked at this time for their convictions on human sexuality, marriage, the intrinsic dignity of human life, the natural, God-given distinctions between females and males, and related matters,” explains RFI in its description of the importance of the toolkit. When religious institutions and organizations give consideration and advance preparation to these areas, often a crisis can be successfully navigated to protect the institutions and religious liberty. RFI encourages religious organizations to “prepare now for the crisis [that] you pray never comes.” To get a free copy of the RFI Toolkit, go to www.RFIToolkit.com.

EEOC Releases Proposed Enforcement Guidance on Harassment in the Workplace

The Equal Employment Opportunity Commission (EEOC) has released [proposed guidance](#) on workplace harassment. Although the guidance is not legally binding, many legal experts have expressed concerns because many employers, courts, and EEOC regulators often defer to the guidance. The guidance covers any workplace subject to Title VII of the Civil Rights Act of 1964, which includes private employers of 15 or more full-time employees. Employers facing legal action would be required to show how they prevented and corrected harassment. However, one main cause for concern is how the guidance defines sex-based harassment because it sets the stage for dueling claims of sex-based harassment and religious harassment. Specifically, the guidance says that harassment based on pregnancy can include decisions on contraception or abortion, raising concerns about pro-life speech. The guidance also says that calling a person a name or pronoun inconsistent with the person’s gender identity or denying an employee access to the bathroom of his/her claimed sex identity could constitute harassment. Notably, the guidance refers to preferred pronouns as “correct” pronouns. Furthermore, the guidance claims that certain religious conversations could be considered harassment. The guidance fails to mention First Amendment concerns or compelled speech. The guidance also references select court rulings to bolster its case, leaving out contrary opinions such as a ruling by the Fifth Circuit in the Braidwood Management case that restricted the EEOC from enforcing its LGBT guidance against religious employers. Public comments on the guidance can be submitted through November 1.

In Case You Missed It:

[Weekly Market Update](#) provided by Jeff Beach of the [AACCS Investment Team at Merrill Lynch](#)

[Practical Legal Help for Christian Schools: ADF Ministry Alliance](#)

[Promise to America’s Children](#)

[Former AG Barr Recognizes Importance of Christian Schools and School Choice](#)

[School Choice is Better for Democracy Than Government Schooling](#)

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