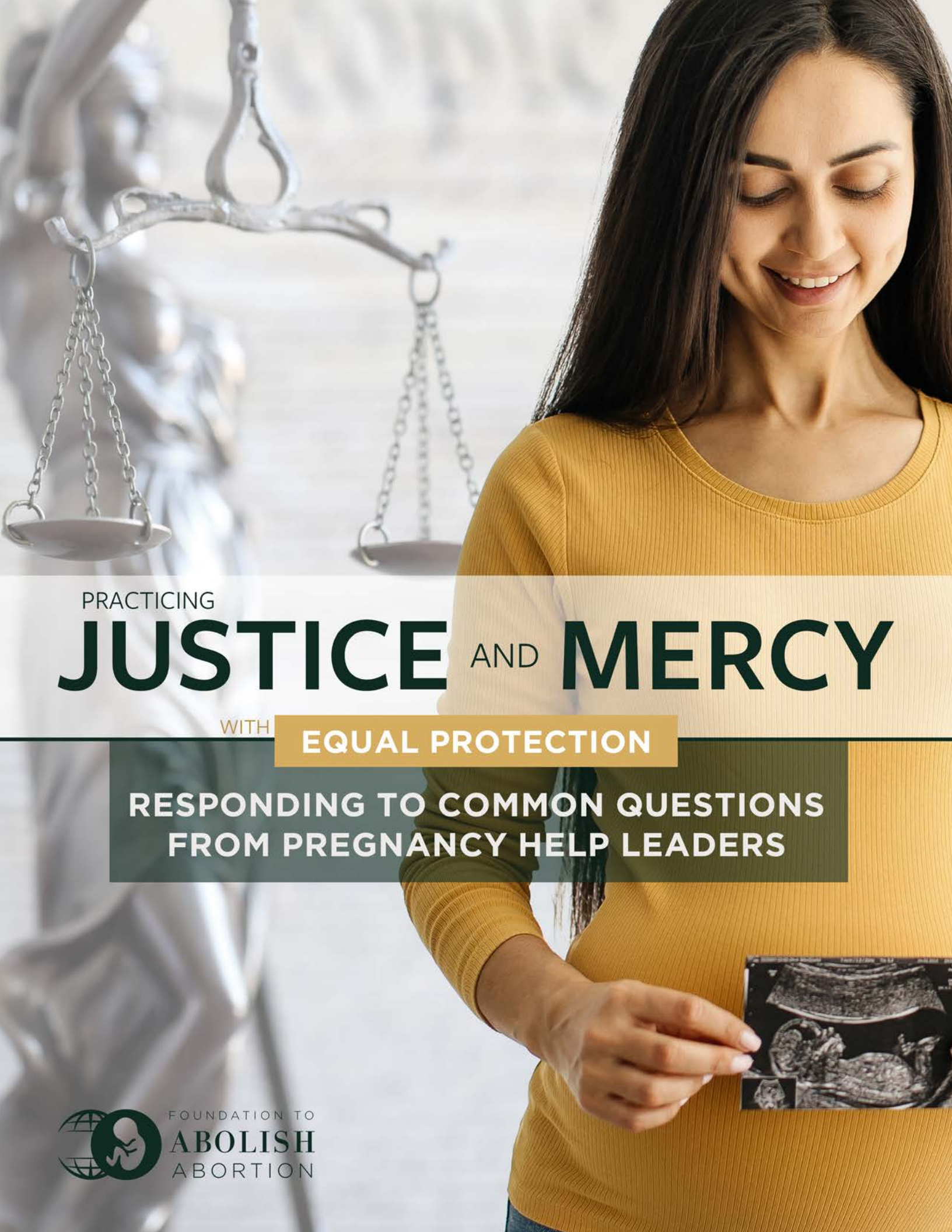


PRACTICING

JUSTICE AND MERCY

WITH **EQUAL PROTECTION**

RESPONDING TO COMMON QUESTIONS FROM PREGNANCY HELP LEADERS

FOUNDATION TO ABOLISH ABORTION

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Responding to Common Questions from Pregnancy Help Leaders

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This document is intended to provide accurate, concise responses to common questions raised by leaders in the pregnancy help movement regarding equal protection legislation. Equal protection bills extend existing homicide statutes to protect preborn human beings—meaning that all parties willfully involved in killing a preborn child would be subject to the same criminal laws that already protect born persons. We honor the vital work of pregnancy help centers and offer these responses in a spirit of Christian unity, with the shared goal of glorifying God, saving lives, serving women, and establishing justice.

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Category 1: Impact on Pregnancy Help Centers and Client Access

1.1 How does equal protection strengthen the work of pregnancy help centers?

Short Answer:

Equal protection does what pregnancy centers cannot do alone: it reaches all abortion-minded women—the vast majority of whom would never walk through a center's doors—and it deters them from abortion before they ever need crisis intervention.

More Detail:

Pregnancy help centers do heroic work, but they face an inherent limitation: they can only serve women who voluntarily walk through their doors or otherwise reach out to them. A peer-reviewed study found that only about 13% of women actively seeking abortion services ever visit a pregnancy help center.[1] That means roughly 87% of abortion-minded women never set foot in a center. Even among those who do visit, most still choose abortion.[2] This is a challenge that no private ministry can overcome on its own.

Equal protection addresses this gap directly. The law reaches every woman, not just those who seek out help. It would deter abortion among the vast majority of women whom pregnancy centers would never have the opportunity to counsel.

Equal protection will allow pregnancy centers to shift their primary focus from crisis intervention to the comprehensive support services they are uniquely equipped to provide—material assistance, counseling, parenting classes, and connecting women with churches and community resources. **When women are restrained by the law from aborting their children, more women will need what pregnancy help centers best offer: help with pregnancies.**

Rather than viewing it as a threat to pregnancy help work, equal protection should be welcomed as the single most powerful complement to it. The law would reach the women that pregnancy centers never can and turn more women to the help they and their babies really need.

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[1]Cartwright AF, Tumlinson K, Upadhyay UD. Pregnancy outcomes after exposure to crisis pregnancy centers among an abortion-seeking sample recruited online. *PLOS ONE*. 2021;16(7):e0255152. https://doi.org/10.1371/journal.pone.0255152

[2]Charlotte Lozier Institute, "Lives Saved Impact at U.S. Pregnancy Help Centers" (2023), reporting Care Net 2020 statistical summary data. See https://lozierinstitute.org/lives-saved-impact-at-us-pregnancy-help-centers/

1.2 Will criminalizing abortion discourage women from seeking help at pregnancy centers?

Short Answer:

No. Criminalizing abortion will deter the vast majority of women from seeking abortions in the first place, meaning pregnancy centers would have the opportunity to serve even more women than they do now.

More Detail:

The concern that women will avoid pregnancy help centers if abortion is criminalized reflects an understandable worry, but it is ultimately unfounded given the ways equal protection laws are designed to impact the decision-making of abortion-minded women.

Data from 2020 shows that even after visiting a pregnancy help center and viewing an ultrasound—an incredibly powerful tool of persuasion—still only 42% of abortion-minded women chose life.[3]

Another powerful tool of persuasion is the criminalization of abortion. There are millions of post-abortive women today who would not have had their abortions if they could have been prosecuted, a reality confirmed by the testimonies of numerous post-abortive Christian women.

Equal protection laws would reduce the time, energy, and resources required to convince women not to murder their babies. Instead, pregnancy help centers could focus their energy on the crucial work of providing material help and spiritual care to women to enable them to be excellent mothers.

Criminalizing abortion for everyone involved will not close doors to women. Instead we expect it to drive more women to pregnancy help centers than ever before.

[3]Charlotte Lozier Institute, "Lives Saved Impact at U.S. Pregnancy Help Centers" (2023), reporting Care Net 2020 statistical summary data. See https://lozierinstitute.org/lives-saved-impact-at-us-pregnancy-help-centers/

Category 2: Mandatory Reporting, Legal Liability, and Clinic Operations

2.1 After an equal protection bill is passed, would pregnancy help center nurses or counselors be legally required to make a report to the government if a woman disclosed that (1) she has aborted a child after the law became effective or (2) plans to abort a child?

Short Answer:

No. While a moral duty to report may exist in certain circumstances, no such *legal* duty would be triggered by passage of equal protection legislation.

More Detail:

As discussed in this legal memorandum, the concern that equal protection legislation would trigger legal requirements for pregnancy help center employees or volunteers to report women who disclose past or planned abortions is unfounded. [4]

Of course, after equal protection legislation is enacted, if a pregnant woman made comments clearly indicating she was still going to murder her child, the person who learns of it would have a moral burden to contact law enforcement to save the life of that child and stop the mother from committing a horrible crime.

Proverbs 24:11-12 (ESV) Rescue those who are being taken away to death; hold back those who are stumbling to the slaughter. If you say, "Behold, we did not know this," does not he who weighs the heart perceive it? Does not he who keeps watch over your soul know it, and will he not repay man according to his work?

2.2 Could a pregnancy help counselor be criminally charged if a woman she counseled against an abortion went through with it anyway?

Short Answer:

No. Existing criminal law already draws careful distinctions between aiding someone in committing a crime and providing lawful assistance, and these distinctions would apply in the same way they do for every other category of homicide.

More Detail:

The suggestion that equal protection would create a wide net of criminal liability for anyone in a woman's life misunderstands how criminal law works. Accessory and conspiracy liability require intent to

[4] https://faa.box.com/v/PHC-reporting

further the commission of a crime. Driving someone to a counseling appointment, providing emotional support, or offering material help to a pregnant woman are not criminal acts. Only those who intentionally assist in procuring or performing an abortion with knowledge and intent would face potential liability, just as in any other criminal context.

2.3 Would equal protection laws make it harder to prosecute abortion providers by discouraging women from testifying against them?

Short Answer:

No. Our legal system routinely prosecutes crimes involving multiple participants without granting advance blanket immunity to an entire category of offenders, and the same tools would be available in abortion cases.

More Detail:

Some argue that all women must be granted legal immunity from prosecution so that their testimony can be used against abortion providers, and that treating women as potential defendants would make enforcement harder by requiring corroboration and by allowing them to invoke the Fifth Amendment right against self-incrimination.

But our legal system routinely prosecutes crimes involving multiple culpable parties without granting advance blanket immunity to a category of offenders. Prosecutors use plea agreements, grants of use immunity for specific testimony, and independent evidence to build cases. The idea that abortion providers cannot be prosecuted unless women are guaranteed immunity simply does not reflect an accurate understanding of how criminal law operates.

More importantly, the suggestion that we declare an entire category of people immune from homicide laws as a prosecutorial strategy inverts the purpose of criminal law. For example, we do not grant legal immunity to all men who hire contract killers to kill their wives just to make it easier to prosecute the hitmen.

The law must uphold the truth that abortion is the murder of a human being and then allow the justice system to do its job, sorting out questions of culpability, cooperation, and sentencing on a case-by-case basis.

Category 3: Compassion, Justice, and the Treatment of Women

3.1 Women already experience many harms associated with abortion; does equal protection add to these?

Short Answer:

Equal protection recognizes that abortion harms women as well as their children, while also recognizing that the preborn child is the primary victim of homicide and that the justice system retains full discretion to consider individual circumstances.

More Detail:

For decades, major leaders within the pro-life movement have argued that all women who get abortions are victims of the abortion industry. While it is true that the abortion industry exploits and harms women, this framing is unjust when it is used to grant blanket legal immunity to every woman who participates in killing her preborn child. In the majority of cases, mothers who choose abortion are willful participants and often initiators of the decision. We can see this even more clearly now that over 65% of abortions are carried out with abortion pills, obtained and self-administered by the mother. To categorically exempt all women from any legal accountability is to deny the moral agency and accountability of women and the humanity and rights of the preborn child.

Equal protection in practice does not mean that every woman who obtains an abortion will be prosecuted to the fullest extent of the law. The current justice system is designed to account for individual circumstances through prosecutorial discretion, the consideration of mitigating factors at trial, sentencing guidelines, jury determinations, and executive clemency. Women who act with full knowledge and deliberate intent will naturally be considered more strictly than those under extreme circumstances. This is how justice works for every other category of crime, and there is no reason prenatal homicide should be treated differently.

3.2 Many women are pressured into abortion by partners, family, or employers. Shouldn't this preclude criminal penalties?

Short Answer:

No. In fact, the existence of coercion in some cases is a reason to strengthen the law, not weaken it; equal protection would make it a crime to pressure anyone into abortion.

More Detail:

Everyone in the pregnancy help movement knows that some women are pressured or coerced into abortion by male partners, parents, employers, or others. This is a grave injustice. This should be illegal, but under the current legal framework women are not protected from this type of pressure. Even under Pro-Life laws, it is not illegal for a man or anyone else to pressure a woman into an abortion because, short of threatening violence, it is not illegal to pressure her into doing something that is legal for her to do. Current Pro-Life laws have no adequate answer to this problem.

But equal protection *does* address this. If abortion is treated as homicide, then those who coerce, pressure, or even solicit a woman to abort her child could face charges for soliciting or conspiring to commit the crime of murder. This would strengthen the protections for women against pressure and coercion. In other words, equal protection is the best solution to protect both the babies *and* their mothers.

3.3 How do we balance legal accountability with the church's call to help women in crisis?

Short Answer:

Justice and mercy are not in conflict. The role of civil government is to establish justice and punish evil, while the role of the church and private charity is to provide care and support. These roles are both essential.

More Detail:

The suggestion that the government should focus on helping women rather than establishing legal accountability for prenatal homicide sets justice in opposition to mercy in a way that is neither biblical nor workable. The state is ordained by God for the purpose of punishing evildoers and commending those who do good (Rom. 13:1–4; 1 Pet. 2:14). It is not designed to replace the church, the family, or private charity in providing care and support. Christians in the pregnancy help movement are doing the vital work of mercy and compassion, and their work should continue and expand. But mercy from the church does not eliminate the requirement for justice from the state.

By insisting that government charity should replace civil justice, the entire effort to abolish abortion is substantially weakened. We must have equal protection of the laws for preborn children and Christians standing ready to support mothers in difficult circumstances through private charity. These objectives are complementary, not competing. We must do justice, even while loving mercy (Mic. 6:8).

3.4 Will equal protection drive more women to seek dangerous, illegal abortions?

Short Answer:

No. The primary effect of criminalization would be to deter most women from seeking abortions at all. We know that no law deters 100% of people from violating the law, yet in cases of other forms of homicide we do not refrain from criminalization based on the possibility that a perpetrator might be harmed in the commission of those crimes.

More Detail:

This is simply another version of the "back-alley abortion" argument that is often used by pro-abortion advocates to justify legal abortion. But if we truly believe that abortion is the murder of an innocent human being, then our goal must be to make that murder illegal, not to make it safer for a woman to commit. There are no other crimes where we withhold criminal penalties in order to make committing the crime safer for the criminal. For example, society does not seek to make aggravated assault or rape safer for perpetrators.

The claim that under equal protection the same number of abortions would be happening, just underground, ignores the overwhelming evidence that laws shape behavior. Some people will still break the law, but the proper response to that reality is to enforce the law, not to legalize the killing of children.

Category 4: Cultural Readiness, Strategy, and the Pro-Life Movement

4.1 Is society ready for the full abolition of abortion? Shouldn't we pursue incremental laws first?

Short Answer:

The question should never be whether society is ready for justice, but whether justice is required. The commands of God and requirements of the U.S. Constitution demand justice for every preborn human being right now.

More Detail:

Incrementalism has dominated Pro-Life legal strategy for over fifty years. During that time, more than sixty-five million preborn children have been murdered by abortion in the United States. While incremental laws may have saved some lives in the short term, they have also codified the legal and cultural premise that preborn children may be killed under certain circumstances. The law is a tutor and every law that permits abortion in some cases teaches the public that some children are less worthy of protection, or that life in the womb does not start at fertilization. Equal protection rejects this premise entirely and declares that the life of every preborn human being deserves the same legal protection as the life of every born human being because we are all created in the image of God.

Christians are not called to wait until the culture is ready to do what is right. We are called to seek to establish justice and call the culture to repentance. Our culture needs to see Christians being obedient to God.

4.2 Will equal protection legislation create division within the pro-life movement?

Short Answer:

The pro-life movement is already divided on this question, and unity must be built around the truth, not around a strategy that treats some human beings as less worthy of legal protection.

More Detail:

Some in the pregnancy help movement worry that equal protection creates unnecessary division among pro-life organizations. Equal protection does not create the division, but it does highlight a fundamental disagreement on what the goal is and how to get there. The division already exists, and papering over it in the name of unity does not resolve anything. True unity must be grounded in shared commitment to the truth that every human being is an image-bearer of

God from the moment of fertilization and is entitled to equal protection of the laws.

Additionally, the Pro-Life movement's long-standing commitment to complete legal immunity for women has not persuaded the larger culture to shift in favor of abortion restrictions. Abortion remains a deeply polarizing issue in the culture regardless of this strategy. If the anti-abortion position is going to be controversial, and it is, it is better to be controversial for clearly and consistently defending the humanity and rights of every preborn child.

4.3 Will supporting equal protection cause pregnancy centers to lose donors and church support?

Short Answer:

Faithfulness to the truth may involve short-term costs, but it is the only path to long-term credibility and effectiveness. Further, it galvanizes Christians who desire to financially support bold and biblical work rooted in the truth.

More Detail:

The fear of losing donors or church partners is understandable from an organizational standpoint, but it cannot be the determining factor in whether we stand for justice. Throughout history, Christians who took principled stands on moral issues faced opposition, loss of support, and social consequences. The question is not whether equal protection is popular with current financial supporters, but whether it is right.

Moreover, many Christians in the pews are recognizing the inconsistency of those who call abortion murder while insisting that those who commit it should face no legal consequences. As the case for equal protection gains traction, pregnancy centers that align themselves with it are finding new and enthusiastic support from churches and donors who are hungry for biblical and moral consistency. Pregnancy centers do not need to become political organizations, but as advocates for what is best for mothers and their babies, they are uniquely positioned to support efforts to legally protect the very children they are working to save.

4.4 Doesn't equal protection distract pregnancy centers from their core mission of direct client care?

Short Answer:

No. Pregnancy centers do not need to become political organizations, but as advocates for mothers and their babies, they should lend their voices when appropriate in support of legal protection for preborn

children and should never dissuade Christians from supporting these measures.

More Detail:

No one is suggesting that pregnancy center counselors should spend all their days lobbying lawmakers instead of serving clients. Concerns about "mission drift" usually mischaracterize what abolitionists are asking them to do. Pregnancy centers exist because they believe preborn children deserve to live and that mothers deserve support. Equal protection legislation advances both of those goals. Supporting such legislation is not a departure from the pregnancy help mission—it is a natural extension of it.

Some of the loudest voices warning about mission drift are the very organizations that have devoted significant resources to opposing equal protection bills in state legislatures. These organizations have already chosen to engage politically. If pregnancy help organizations are going to engage on this issue at all, they should engage on the side of the children they serve. As the Bible says, "Open your mouth for the speechless, in the cause of all who are appointed to die" (Prov. 31:8). Their firsthand experience with abortion-minded women, their knowledge of the challenges mothers face, and their commitment to compassionate care make them powerful and credible advocates for equal protection.

Category 5: Theological and Biblical Considerations

5.1 How should Jesus' compassion toward sinners inform our view of equal protection?

Short Answer:

Jesus' ministry of grace to sinners does not negate the role He has ordained for civil government to establish justice and punish evil.

More Detail:

Some in the pregnancy help movement point to Jesus' interactions with sinful women—especially the woman at the well (Jn. 4) and the woman caught in adultery (Jn. 8)—as evidence that compassion should negate legal accountability. These passages beautifully describe Jesus' personal ministry of grace to individual sinners, but they do not establish a principle that civil government should refrain from punishing homicide. Jesus consistently affirmed the legitimate authority of civil government (Matt. 22:21; Rom. 13:1–4) and never suggested that the state has been relieved of its duty to protect innocent life. There are many instances in the Bible where God forgives murderers, thieves, or other criminals, and yet none of these examples are invoked by Christians to say that these crimes should no longer be penalized for anyone.

The distinction between the ministry of the church and the role of the state is essential. The church is called to proclaim the gospel, extend mercy, and minister to sinners. The state is called to bear the sword against evildoers and protect the innocent (Rom. 13:4). These are complementary callings, not competing ones. Using Jesus' personal compassion toward sinners to argue that the state should not criminalize the murder of innocent children confuses the distinct roles God has assigned to these two institutions.

5.2 How does equal protection uphold the biblical call to mercy?

Short Answer:

Biblical justice and mercy are not in opposition; mercy is exercised within the framework of justice, not as a replacement for it. The application of criminal penalties does not negate the mercy of God that is always available to those who turn from their sin to Jesus Christ.

More Detail:

Scripture teaches that justice and mercy are both attributes of God and are never set against each other: "The Lord executes justice for the oppressed" (Ps. 146:7) and "Blessed are the merciful" (Matt. 5:7) are both true. The question is not whether mercy matters, but whether

mercy for the guilty can be invoked to deny justice to the innocent. The preborn child murdered by abortion is the primary victim, and denying that child equal protection of the laws in the name of mercy toward the one who took their life is injustice, not biblical mercy.

The good news is that regardless of criminal penalties, the mercy and forgiveness of God are always available through Jesus Christ. Christians should be eager to share this message of mercy with women who are guilty of abortion.

5.3 Shouldn't cultural change and repentance come before legal change?

Short Answer:

Scripture does not require that a culture repent before its government acts to protect innocent lives from murder.

More Detail:

The argument that "hearts must change before laws can change" sounds spiritually minded, but it has no basis in Scripture and would have devastating implications if applied consistently. No one argues that we should wait for the culture to repent of domestic violence before criminalizing it, or that we should wait for widespread moral transformation before prosecuting child abuse. The civil magistrate has an immediate and ongoing obligation to protect the innocent by law, regardless of the spiritual condition of the culture.

Furthermore, law has a powerful teaching function. When abortion is legal for anyone at all, the law teaches the culture that preborn children are not as worthy of protection as born people. When abortion is criminalized as homicide for everyone, the law teaches the truth that preborn children deserve the same protections of their lives that we enjoy for ours. The Bible confirms this when it says that when "the sentence against an evil work is not executed speedily, therefore the heart of the sons of men is fully set in them to do evil" (Ecc. 8:11). The law is one of God's appointed means for shaping culture, softening hearts, and restraining evil. Waiting for the culture to be "ready" is a recipe for perpetual delay.

5.4 Won't equal protection create barriers to gospel conversations with abortion-minded or post-abortive women?

Short Answer:

No. It breaks down barriers to understanding the gospel because it affirms the truth that abortion is a serious sin and needs the forgiveness of God. An honest acknowledgment of the gravity of

abortion is essential to genuine healing which comes through repentance.

More Detail:

Some express concern that calling abortion *murder* or supporting criminal penalties will alienate women from the gospel. But the gospel has always begun with the bad news of sin before delivering the good news of forgiveness in Christ. Minimizing the gravity of abortion in order to make women more comfortable does not serve them spiritually; it deprives them of the very knowledge they need to repent and find genuine healing. Many post-abortive women testify that true healing only came when they were able to honestly confront what they had done and find forgiveness through Christ.

The idea that grace must precede truth in evangelism inverts the biblical pattern. Jesus began many encounters by confronting sin before extending grace. The apostles preached repentance as the necessary precondition for forgiveness (Acts 2:38; 3:19). Pregnancy help centers can and should extend compassion and grace to every woman who walks through their doors. This compassion must be grounded in the truth that abortion is a grave sin against God and the child who was murdered, and a terrible harm to the mother who bears the guilt for that decision.

Category 6: Scope, Fairness, and Application of Justice

6.1 Won't women bear disproportionate blame under equal protection while men and abortionists go free?

Short Answer:
No. Equal protection applies to all parties, including men, abortionists, and anyone who solicits, coerces, or assists in procuring an abortion.

More Detail:
Equal protection legislation does not single out women for punishment. It extends existing homicide laws to protect preborn children, meaning that every person who willfully participates in the murder of a preborn child—including the abortionist who performs the procedure, the boyfriend who pressures or pays for it, and any other person who solicits or assists—is subject to legal accountability. In fact, under current law, those who pressure women into abortion escape accountability because they are pressuring the woman into an act that is legal for her to commit. Equal protection corrects this by enabling the prosecution of coercive boyfriends, employers, family members, and others.

6.2 What about women who have been culturally conditioned to believe abortion is acceptable?

Short Answer:
Cultural conditioning and widespread misinformation are real, but they do not create absolute legal immunity for the willful taking of innocent human life.

More Detail:
There is no question that we live in a culture of death that normalizes and even celebrates abortion. Major institutions—from the entertainment industry to the education system to the medical establishment—have conditioned generations to believe that abortion is simply a medical procedure, or even an inalienable right. This cultural conditioning is real, and it is tragic. But it is not unique to abortion, nor is it unique to the woman involved. Many crimes are fostered by cultural conditioning, but we do not grant absolute legal immunity to other offenders on the basis that the culture influenced them to believe their actions were acceptable. Nor do we grant absolute immunity to men or to abortionists, though they are also affected by cultural conditioning in favor of abortion. Instead, a person's

knowledge of their actions is something that should and will be considered on a case-by-case basis.

Equal protection laws would be a powerful antidote to this cultural conditioning. Classifying abortion as a crime will reshape cultural attitudes toward it very quickly, and even more over time. Women committing an abortion after an equal protection law is in place would be doing so with the knowledge that the law treats abortion as *murder*. Passing equal protection laws is one of the most effective ways to rapidly teach society that abortion truly is the murder of an innocent human being.

6.3 Granting women immunity and treating them as victims of abortion is a different strategy than equal protection, but is it wrong?

Short Answer:

The historic practice of treating all women as victims was a strategic decision, not a biblical one. This narrative has sadly contributed to the legal and cultural acceptance of abortion.

More Detail:

For decades, the mainstream Pro-Life movement adopted the position that women who get abortions are always victims of those abortions. This position was adopted largely for strategic and political reasons, not because it was consistent with Scripture. It has brought the unintended consequence of reinforcing the idea that the intentional killing of a preborn child is fundamentally different from other forms of homicide. This concession undermines arguments of humanity.

This messaging is not just inconsistent. It is contrary to God's revealed truth. The Pro-Life movement must repent of demanding partiality in judgment—something God expressly forbids (Deut. 1:17; Prov. 24:23; Jas. 2:1–9). To insist that one category of persons be exempt from homicide laws based on their identity rather than their actions is to show partiality in judgment. This is a practice we should confess as sin and turn from instead of defending.

Christians have said that life begins at fertilization and that preborn children are valuable because they are created in the image of God.

What matters now is whether we are willing to follow the logic of our own convictions to their consistent conclusion. If preborn children are human beings, they deserve equal protection of the laws, and those who willfully murder them should be subject to the same legal justice system as those who willfully murder any other human being.