



Thomas More  
SOCIETY

June 14, 2024

Mayor Cole Stanley and City Council of Amarillo  
601 South Buchanan Street  
Amarillo, TX 79101

Dear Mayor Cole Stanley and City Council of Amarillo:

While we were disappointed to hear that the City Council of Amarillo voted against an ordinance that would have closed several loopholes in the abortion laws of the State of Texas, it is our understanding that the city council has an opportunity to re-consider the Sanctuary City for the Unborn Ordinance written by Mark Lee Dickson and Jonathan F. Mitchell with amendments made to the abortion trafficking provision by Mayor Cole Stanley.

We write in strong support of this proposed amended ordinance, as well as other city and county ordinances in Texas that require compliance with federal laws that outlaw and criminalize the shipment of abortion-related materials. *See 18 U.S.C. §§ 1461–1462.*

These ordinances also extend the human-trafficking provisions of the federal Mann Act to encompass abortion trafficking, as it has long been a federal crime for someone to transport a woman across state lines for an immoral purpose. The Biden Administration is not enforcing the federal statutes that protect the unborn on account of its pro-abortion ideology, and it is even using taxpayer money to pay the travel costs of women on military bases who leave the state to kill their unborn children.

Local communities that respect and value life should counteract these lawless actions and policies of the Biden Administration by outlawing abortion trafficking and codifying 18 U.S.C. §§ 1461–1462 into their own law—and by establishing enforcement mechanisms that will ensure that these laws are obeyed.

Cities in Texas that have enacted ordinances prohibiting abortion trafficking, to varying degrees, include Abilene, Athens, Cisco, Little River-Academy, Muenster, Odessa, Plainview, San Angelo, and Slaton. Counties in Texas that have enacted ordinances prohibiting abortion trafficking include Cochran County, Dawson County, Goliad County, Jack County, Lubbock County, and Mitchell County.

We urge your community to follow their lead and enact a similar ordinance.

We want to emphasize three features of these ordinances that are especially needed at this time given the practices of our current administration.

First. The Biden Administration is refusing to enforce the federal statutes that ban the shipment or

receipt of abortion-inducing drugs and other abortion-related paraphernalia. *See* 18 U.S.C. §§ 1461–1462. In light of the Biden Administration’s refusal to enforce this law, it is imperative that state and local communities enact measures to ensure that these federal laws are obeyed, consistent with the responsibility to enforce congressional enactments such as the supreme law of the land under Article VI of the Constitution.

Second. The Biden Administration is using taxpayer money to reimburse the travel costs of pregnant women on military bases in Texas who leave the state to abort an unborn child. This appalling practice can be thwarted by local ordinances that outlaw abortion trafficking, and that prohibit anyone from transporting a pregnant woman through their city or county for the purpose of obtaining an elective abortion. A jurisdiction that enacts an ordinance of this sort would also have standing to sue the Biden Administration and seek an injunction against its abortion-trafficking policies.

Third. The local ordinances rely on private civil lawsuits for enforcement, rather than conventional public enforcement by state or local officials. This immunizes a local jurisdiction that enacts such an ordinance from lawsuits because the ordinances will be enforced solely by private citizens, who will sue anyone that violates the prohibitions on abortion trafficking or the federal laws that outlaw the shipment or receipt of abortion-related materials.

The State of Texas gives cities and counties the ability to consider ordinances regulating or prohibiting abortion in a way that is at least as stringent as state law. As it states in Texas Government Code § 311.035(b), “A statute may not be construed to restrict a political subdivision from regulating or prohibiting abortion in a manner that is at least as stringent as the laws of this state unless the statute explicitly states that political subdivisions are prohibited from regulating or prohibiting abortion in the manner described by the statute.”

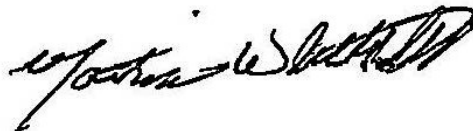
We hope you will enact this much-needed ordinance, which could be the very thing that saves your city from the pro-abortion industry taking it over more than it already has.

Sincerely,



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Tom Brejcha  
President & Chief Counsel



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