



How California could become a ‘sanctuary for the unborn’ instead of an abortion sanctuary

By Bettina di Fiore | March 22, 2022 , 02:55pm

“Hate evil and love good; [establish](#) justice at the city gate.” These are the biblical words that drive Mark Lee Dickson’s mission. His goal is to establish justice for preborn Americans within cities across the nation – not just in Republican or conservative states, but anywhere people are willing to fight for the protection of our most vulnerable citizens.

Sowing the Seeds of Sanctuary

This mission recently brought him to California. Even as Governor Gavin Newsom is [pushing](#) to make California a “sanctuary” for so-called abortion “rights” in the event that Roe v. Wade is overturned, Dickson is planting seeds of another kind of sanctuary. Dickson is the driving force behind the [Sanctuary Cities for the Unborn](#) movement. “Currently a total of [44](#) cities throughout the United States have passed ordinances outlawing abortion, and there is a possibility that three more in two different states may be added this week,” Dickson told Live Action News.

After the city of [Visalia](#), California, successfully maneuvered to forestall Planned Parenthood’s plan to open a new abortion facility within their city limits, Dickson hopped on a plane and flew west. While in California, he met with pro-life leaders in Visalia to discuss the possibility of that city becoming the first Sanctuary City for the Unborn in the state of California. He also met with pro-life activists from San Francisco and other areas of the state. His message? “This is not a pipe dream – it can happen in California. All it takes is one city who is willing to go first.”

Politically Purple

California has a reputation as a left-leaning stronghold, but the state is far from homogenous. Many portions of the state – particularly its massive agricultural areas – typically vote “[red](#),” and lean conservative on social issues. “Take, for instance, Shasta County, home to cities like Anderson, Redding, and Shasta Lake,” noted Dickson. “During the 2020 presidential election, 65.4% of Shasta County voters voted for the Republican Party candidate. That is very comparable to the numbers we saw in Lubbock County in Texas.” Lubbock, Texas – population [266,041](#) – is the largest municipality to pass a Sanctuary City for the Unborn ordinance to date. Dickson believes it is not inconceivable that Redding could be a California analog.

Further complicating the complexion of abortion politics in California is the fact that political party preference is not necessarily an accurate predictor of where individuals stand on this issue. As Dickson points out, Republicans can be pro-abortion, and vice-versa. “We have seen opposition in very red areas of Texas, even in areas where over 93% voted for the Republican party candidate,” he told Live Action News. Indeed, [Gallup](#) reports that 15% of Republicans believe abortion should be legal under any circumstance. The opposite can also be true – according to [Gallup](#), 26% of Democrats identify as “pro-life,” and half believe abortion should be illegal in some, if not all, circumstances.

Activism Thrives in the Golden State

All of this adds up to make California a bit of a wild card. As a matter of fact, there is a very vital – and politically diverse – pro-life [movement](#) within the state, which has recently been the site of Pink Rose Rescue [actions](#), in which activists enter abortion facilities and offer pink roses and life-affirming resources to the women inside. These actions have been carried out by left-leaning pro-life organizations like [Progressive Anti-Abortion Uprising](#) (PAAU).

One of California’s most active pro-life organizations, [Pro-Life San Francisco](#), has also participated in these actions. It is led by [Kristin Turner](#), a young woman who identifies as politically progressive. “The most powerful tool the abortion lobby has against us is indifference,” Turner told Live Action News. “If they convince us there is no hope for California children, they have won. In reality, there is a swelling grassroots effort of pro-life Californians from across the political and ideological spectrums.”

Conscience Must Drive Action Toward Change

It is precisely this kind of diverse grassroots momentum that will be necessary to tip the scales for life in California. The famous anti-Nazi activist Sophie Scholl once [said](#): “Laws change. Conscience doesn’t.” She also [said](#): “How can we expect righteousness to prevail when there is hardly anyone willing to give himself up individually to a righteous cause?” If the people of California want their laws to change, they must be willing to fight for what their consciences tell them is right. “The cities of California are already being invaded by those who want to make abortion a [local] reality,” Dickson told Live Action News. “They are not going away. Governor Newsom is clear that he wants California to be a sanctuary for abortion access, and the people of California have to make a decision – are we going to let it happen, or are we going to do everything we can to fight against it?”

“All it takes is one city who is willing to go first,” Dickson concluded. “Those who are interested in seeing abortion outlawed in their city are encouraged to sign the online petition on the Sanctuary Cities for the Unborn website located [here](#).”



Abortion wasn't something he cared about... but a baby's scream changed everything

By Bettina di Fiore | March 16, 2022 , 04:44pm

[Joel Enge](#) is living proof that a single changed mind and a single transformed heart can have a powerful impact on the lives of countless others. He currently runs [Kingdom Life Academy](#), a faith-based school dedicated to renewing the lives of troubled middle and high school students by equipping them with the practical and spiritual skills they need to have meaningful futures. He also works with [Mark Lee Dickson](#) in the [Sanctuary Cities for the Unborn](#) movement.

Shifting Perspectives

But abortion was not always an issue Enge cared about. "I knew it was wrong. But it was not on my radar," he told Live Action News. His journey toward involvement in the pro-life movement began after his college graduation. He had always been a straight-ticket voting Democrat. However, the pastor at his church "was an anomaly. He taught from a biblical perspective, [even] politically. Which is a big issue because ... Black Christians blindly, overwhelmingly vote Democrat," Enge explained. "But he was not one to do that. He realized he had to stay with the conservative camp." Under this pastor's tutelage, Enge's perspective shifted.

"But even then," Enge recollected, "when Obama was running, I was drawn to the fact that finally, a Black president was possible. And I knew that, biblically, ... I could not vote for him in the general election. [But] I [was] entertaining the possibility of voting for him in the primary."

An Eye-Opening Scream

However, a seemingly random occurrence was to change all of that. “In late January, I went to the grocery store to buy a loaf of bread. And all of a sudden, I heard this baby scream,” Enge told Live Action News. Disturbed, he went in search of the child to check on her, and found her a few aisles over with her mother. “She was okay. Her mom was taking care of her. But I wasn’t okay. ... I go to the cashier to pay for my bread, and I’m grieving, I mean, I am just messed up. It was all I could do to hold back the tears,” he said. “I make my purchase then hurry to my truck. I get in my truck and I just break. I’m weeping uncontrollably, almost hyperventilating. And finally I catch my breath. I’m like, “God, what’s wrong with me? Why do I feel like somebody died?” And He said, “Son, they have. The pain that you feel, the grief that you feel, is mine – from the millions of babies that have been killed.”

Enge went home and began to research abortion. “I just wept as I sat before my computer monitor,” he recalled. “I found out about [Black genocide](#), I found out about [Planned Parenthood](#), [Margaret Sanger](#), all of it.” He also learned more about [Obama](#)’s record on [abortion](#). “I found his speech to Planned Parenthood in 2008, when he said if he was elected ... he was gonna ensure that [the ban on] partial birth abortion would be reversed. And that there would be no limits on abortion at all. And I was sick.”

Bold Words Falling on Deaf Ears

Enge and a local pastor both felt they had to speak up, so the Sunday before the general election, they made a presentation to the congregation. “I created a Powerpoint with all the information I had from the CDC. At that time we’d killed over 13 million, just from the African-American [community]. ... We talked about the Democratic party and how ... they are pro-abortion. And [we asked], how can we continue to stand for that?”

Enge faced immediate backlash – a “furious defense” of the Democratic party and a vicious attack against the alleged racism of the Republican party. Driving home afterward, he asked God, “Lord, what is wrong with us?” The scripture [2 Kings 17:17](#) – a verse he had never before read – came to him, and he looked it up when he got home. It read, “They sacrificed their sons and daughters in the fire. They practiced divination and sought omens and sold themselves to do evil in the eyes of the LORD, arousing his anger.”

He proceeded to read further back into verse [16](#): “They forsook all the commands of the LORD their God and made for themselves two idols cast in the shape of calves, and an Asherah pole. They bowed down to all the starry hosts, and they worshiped Baal.”

Enge recalled: “*And so what the Lord was saying to me, is that we have made an idol. And the major idol is our Blackness. ... When you stir the pot and throw the bone out to us about racism, we are like piranhas, we will fight, fight, fight, but at the same time ... we don’t care about the thousands and thousands of Blacks that are murdered by other Black people every year. We are so caught up in this blindness, and there’s such a darkness. ... You know, there was a movie, ‘Sleeping With the Enemy.’ That’s what we’re doing. We are in bed with the enemy.*”

Enge continued to stand up for his beliefs in his community, often at the expense of friendships and even financial support for his school. And just as often as he has faced anger and pushback, he has been met with abject apathy.

He said: “I found [Maafa 21](#). ... And I bought these DVDs and I gave them to various Black pastors. I think ... that it’s going to wake up our community, wake up the church. Hmm-mm. They won’t even watch it. ... I just felt hopeless. I got this burden that I can’t shake. And I’m carrying it for years.”

Dreaming of Sanctuary

Then, Enge received an unexpected answer to his prayers – a way to make a significant impact in the fight for life. He told Live Action News:

“[A]t the beginning of [the] [Sanctuary Cities \[for the Unborn\]](#) movement] back in early 2020, I ended up reaching out to [Mark Lee Dickson], and I met with him on a Sunday. I thought, ‘Okay, this is something that I can really connect with, and help with.’ ...

[T]hat night ... I saw Mark in this dream. And it was like the movie “Ten Commandments” when Aaron and Joshua were putting blood on the door mantels. I saw Mark doing the same thing with the cities... I don’t claim to be a prophet or anything, but I just sensed that there’s some kind of judgment coming, and [for the] cities who pass this ordinance, there’s going to be some form of protection.

And that’s when I knew, this is my doorway opportunity. And I feel like the Lord told me, ‘Any time you can be supporting this brother and this work, you do it. You do it.’”

Enge helps by sharing his story and interfacing with city council members, getting petitions out, and doing what he describes as “grunt work” – whatever needs doing – to get the ordinances passed.

One mind changed. One heart transformed. Only God knows how many lives will be saved. There are now 44 [cities](#) which have passed ordinances outlawing abortion in three states, and more are in the works. If you would like to make your city a sanctuary city, visit the organization’s [website](#) to find out how.



Pollock becomes 1st city in Louisiana to outlaw abortion, 46th in United States

By Mark Lee Dickson | March 24, 2022 , 03:37pm

The town of Pollock, Louisiana (pop. 473), has become the 46th city in the nation and the first city in Louisiana to outlaw abortion within its city limits by the passage of an enforceable ordinance. The vote of the Pollock Town Council was 4-1.

Pastor Brian Gunter of First Baptist Church of Pollock was the first to speak during the public hearing on March 23rd. Gunter shared, "I am very proud Pollock is a pro-life town. We value the lives of children. We care about families ... and by passing this ordinance, our message is very simple: ... [i]nnocent blood will not be spilled upon our soil."

Claire Lemoine, Executive Director of [Cenla Pregnancy Center](#) in Alexandria, Louisiana, stated, "We are in support of this ordinance, and we believe that life should be protected inside the womb of the mother and that mothers and fathers should be supported."

The Pollock, Louisiana, ordinance outlaws abortion within the city limits; outlaws aiding and abetting an abortion within the city limits; prohibits employers within the city limits from providing abortion coverage in health insurance benefits; outlaws the possession or distribution of abortion-inducing drugs within the city limits; and outlaws both abortion and aiding and abetting an abortion on any resident of Pollock, regardless of where the abortion takes place.

“Abortion” is defined by the ordinance as “the act of using or prescribing an instrument, a drug, a medicine, or any other substance, device, or means with the intent to cause the death of an unborn child of a woman known to be pregnant.” The ordinance is clear that the act is not an abortion if the act is done with the intent to “save the life or preserve the health of an unborn child,” to “remove a dead, unborn child whose death was caused by accidental miscarriage,” or to “remove an ectopic pregnancy.”

When it comes to concerns related to the life of the mother, the ordinance allows for an affirmative defense to be made by the one performing the act if it is “in response to a life-threatening physical condition aggravated by, caused by, or arising from a pregnancy that, as certified by a physician, places the woman in danger of death or a serious risk of substantial impairment of a major bodily function unless an abortion is performed.”



Right To Life of East Texas Director Mark Lee Dickson, First Baptist Church of Pollock Pastor Brian Gunter, and Executive Director of Cenla Pregnancy Center Claire Lemoine take a picture with the Mayor of Pollock and the Town Council after the historic vote (Photo via Mark Lee Dickson)

The ordinance defines “abortion-inducing drugs” as “mifepristone, misoprostol, and any drug or medication that is used to terminate the life of an unborn child.” The ordinance is clear that the term “abortion-inducing drugs” does not include birth-control devices or oral contraceptives. While the Pollock ordinance outlaws abortion immediately, it gives certain parameters for how the law is to be enforced. The penalty for violations is a \$500 fine and imprisonment for 60 days – but the Town of Pollock cannot impose that penalty unless or until one of three events take place: (1) the Supreme Court overrules *Roe v. Wade* and *Planned Parenthood v. Casey* and permits states and municipalities to punish anyone who violates an abortion prohibition; (2) a state or federal court enters a declaratory judgment that the imposition or threatened imposition of this penalty will not create an “undue burden” on women seeking abortions; or (3) a state or federal court rules that the person, corporation, or entity that committed the unlawful act lacks third-party standing to assert the rights of women seeking abortions in court.

This delayed enforcement mechanism only applies to the Town of Pollock in its official capacity as a governing entity. The citizens of Pollock, however, can enforce the law immediately through the private enforcement provision. The Pollock ordinance states: “Any person may bring a civil enforcement suit against a person or entity that commits or intends to commit an unlawful act.” This section is immediately enforceable and allows for anyone to sue the abortionist – or anyone who aids and abets the abortionist – for the death of the unborn child. This civil suit provision applies to all four sections of the Pollock ordinance.

So far, no legal challenge brought by the abortion industry against the Sanctuary Cities for the Unborn ordinances has been successful. In February 2020, the ACLU filed a lawsuit against seven cities in Texas which had passed such ordinances. The ACLU withdrew the suit after approximately three months with the bans intact. All seven cities were represented at no cost by Attorney Jonathan F. Mitchell, former Texas Solicitor General.

In May, 2021, the ACLU, representing Planned Parenthood of Greater Texas, filed a lawsuit against the City of Lubbock, Texas, which had outlawed abortion with an active abortion facility within its borders. The lawsuit lasted approximately two weeks and resulted in the United States District Court for the Northern District of Texas ruling against Planned Parenthood. In November, 2021, Planned Parenthood appealed the ruling to the 5th Circuit Court of Appeals, only to [withdraw](#) that appeal in January 2022.

If the Town of Pollock faces a lawsuit as a result of the adoption of this ordinance, Attorney Jonathan F. Mitchell has agreed to represent the town at no cost.

The Town of Pollock will not be the last city to outlaw abortion. The city council of Lindale, Texas (pop. 6,730), will vote on a similar ordinance on March 24th, while the city council of Abilene, Texas (pop. 124,407), will vote on an identical ordinance on April 28th. In November, the citizens of San Angelo, Texas (pop. 101,612), will vote on a ballot measure which, if passed, would outlaw abortion within their city limits. Voters in the much smaller city of Plainview, Texas (pop. 22,343), will vote on a similar measure on the same date.

Those who are interested in seeing abortion outlawed in their city are encouraged to sign the [online petition](#) at the Sanctuary Cities for the Unborn website.



Texas city of Shallowater becomes 45th in nation to outlaw abortion

By Mark Lee Dickson | March 24, 2022 , 06:43am

The city of Shallowater, Texas (pop. 2,613), has become the 45th city in the nation (and the 41st city in Texas) to pass an enforceable ordinance outlawing abortion within its city limits. The vote of the city council, which took place in a room full of supporters, was unanimous with all five council members voting in favor of the measure. Prior to the vote, several leaders from throughout the area shared their support of the measure including State Representative Dustin Burrows, Jim Baxa with West Texas For Life, and Councilwoman Mary Engledow from the City of Levelland, Texas (pop. 14,582).

Representative Burrows spoke on both the legality of the ordinance and how the Texas Heartbeat Act supports cities passing such ordinances. Baxa spoke on how, during the campaign to see the City of Lubbock outlaw abortion, many residents of Shallowater had signed a petition expressing interest in seeing their city outlaw abortion too. Councilwoman Engledow from Levelland shared about how her city was the 30th city in the nation to pass an ordinance outlawing abortion and how it was the right thing for them to do. A director of Right To Life of East Texas and the founder of the Sanctuary Cities for the Unborn Initiative also spoke. He shared that if the City of Shallowater were to pass the ordinance tonight, they would not be the first city to have outlawed abortion and they would not be the last.

After the vote, Councilman David Brugel shared, “Today Shallowater took a stand to protect the fundamental right to life. I am proud of my fellow council members for unanimously voting to make Shallowater a sanctuary city for the unborn.”



Representative Dustin Burrows speaks before the Shallowater City Council on Tuesday night.

Shallowater is the fourth municipality in Lubbock County to pass an ordinance outlawing abortion. The first city in the county to outlaw abortion was the city of Lubbock (pop. 264,000), followed by the cities of Abernathy (pop. 2,839) and Slaton (pop. 6,235). Shallowater is also the 15th city in Texas to outlaw abortion since the lawsuit by Planned Parenthood against the City of Lubbock was [dismissed](#) in Federal Court and the 28th city to outlaw abortion since the ACLU [withdrew](#) its lawsuit against seven cities in East Texas.

The Shallowater Ordinance immediately outlaws abortion within the city limits. The ordinance reads, “It shall be unlawful for any person to procure or perform an abortion of any type and at any stage of pregnancy in the City of Shallowater, Texas” and “It shall be unlawful for any person to knowingly aid or abet an abortion that occurs in the City of Shallowater, Texas.” Abortion is defined by the ordinance as “the act of using or prescribing an instrument, a drug, a medicine, or any other substance, device, or means with the intent to cause the death of an unborn child of a woman known to be pregnant.” The Shallowater Ordinance also outlaws abortion-inducing drugs and declares them to be contraband. The ordinance reads, “It shall be unlawful for any person to possess or distribute abortion-inducing drugs in the City of Shallowater, Texas.” Abortion-inducing drugs are defined in the ordinance as “mifepristone, misoprostol, and any drug or medication that is used to terminate the life of an unborn child.”

In the unlikely event that the city of Shallowater is sued over its ordinance outlawing abortion, Attorney Jonathan F. Mitchell, the former Solicitor General of Texas, has agreed to represent the City of Shallowater at no cost to the city or taxpayers for any litigation resulting from the ordinance’s passage. Other municipalities in Lubbock County which could outlaw abortion within their city limits in the near future include Buffalo Springs (pop. 495), New Deal (pop. 794), Ransom Canyon (pop. 1,200), Idalou (pop. 2,342), and Wolfforth (pop. 5,716).

Texas city of Jewett becomes 44th in nation to outlaw abortion

By Mark Lee Dickson | February 17, 2022 , 04:44pm



The City of Jewett, Texas (pop. 1,250) has become the 44th city in the nation (and the 40th city in Texas) to pass an enforceable ordinance outlawing abortion within its city limits. The Jewett Ordinance Outlawing Abortion was the last item on the agenda and passed unanimously in a 5-0 vote. No one present spoke in opposition to the measure.

One of those in support at the meeting was Pastor Allen Crosby of First Baptist Church of Jewett. After the vote Pastor Crosby shared, "I want to thank the Jewett City Council and Mayor John Sitton for unanimously approving a city ordinance making Jewett the 40th city in Texas a Sanctuary City for the Unborn." Pastor Crosby continued, "I am thrilled about this ordinance because it legally outlaws abortion in our city . . . This is an answered prayer as we eradicate this scourge from our nation one city at a time."

Jewett is the third municipality in Leon County to pass an ordinance outlawing abortion. The first city in the county to outlaw abortion was the city of Centerville (pop. 892) followed by the small town of Leona (pop. 175). The votes of all three city councils were unanimous.

The effort to see abortion outlawed in Leon County began in the summer of 2019 when Centerville resident Carly Hickman heard about the City of Waskom (pop. 2,189) outlawing abortion. Hickman started to share throughout the community about her desire to see the cities of Leon County follow in the footsteps of Waskom and make sure abortion never became a

reality in their cities. While Hickman met individually with leaders throughout the county, the effort really gained traction in March of 2021 when a Sanctuary Cities for the Unborn Interest Meeting was held for area pastors at the Cowboy Church of Leon County. Several months later, Centerville became the 33rd city in the U.S. to outlaw abortion in July 2021 and Leona became the 35th city in the U.S. to outlaw abortion in August 2021. Outlawing abortion six months later in February 2022 made Jewett the 44th city in the U.S. to outlaw abortion.

Hickman was conceived in 1987, 14 years after the Supreme Court issued their opinion in *Roe v. Wade*. She was born out of wedlock to a divorced, single mother of two born children who had already had a tubal ligation. Hickman shared, “My Mom had already chosen not to have any more children and my father was not exactly planning to have a child either. In fact, I was the furthest thing from their minds.” Hickman continued, “But God. My mother chose life when she could have very easily and legally chosen death.” The news of Jewett outlawing abortion had a special significance to Hickman. Recently, she and her husband took in a baby girl in need of a good home. Hickman shared, “My pro-life convictions have come full circle. We are currently fostering a sweet baby girl. As I held her in my arms the first few weeks of her life, I couldn’t help but realize she is just the kind of child born under just the kind of conditions in which many would have advocated abortion. She is the image of the preborn children of whom we are advocating for by all means within our reach, including but not limited to this ordinance.”

The Jewett Ordinance reads: “It shall be unlawful for any person to procure or perform an abortion of any type and at any stage of pregnancy in the City of Jewett, Texas” and “It shall be unlawful for any person to knowingly aid or abet an abortion that occurs in the City of Jewett, Texas.”



Jewett mayor and city council (Photo: Mark Lee Dickson)

Abortion is defined by the ordinance as “the act of using or prescribing an instrument, a drug, a medicine, or any other substance, device, or means with the intent to cause the death of an unborn child of a woman known to be pregnant.” The ordinance is clear that the term does not include birth control devices or oral contraceptives. The ordinance is also clear that the act is

not an abortion if the act is done with the intent to “save the life or preserve the health of an unborn child” or “remove a dead, unborn child whose death was caused by accidental miscarriage” or “remove an ectopic pregnancy.”

In addition to outlawing abortion, the Jewett Ordinance also outlaws abortion-inducing drugs, stating, “It shall be unlawful for any person to possess or distribute abortion-inducing drugs in the City of Jewett, Texas.” The Ordinance defines “abortion-inducing drugs” as “mifepristone, misoprostol, and any drug or medication that is used to terminate the life of an unborn child.” The Jewett Ordinance contains both public and private enforcement mechanisms. The public enforcement mechanism establishes fines against the abortionist and anyone who aids and abets the abortionist for any abortion which takes place within the City limits of Jewett. The ordinance is clear that these fines cannot be imposed unless it is determined by a state or federal court that the individual seeking to impose the penalty upon the one who committed the unlawful act will not create an “undue burden” on women seeking abortions, a state or federal court determines the person, corporation, or entity who committed the unlawful act of abortion lacks standing to assert the third-party rights of women seeking abortions in court, or the Supreme Court overrules *Roe v. Wade* and *Planned Parenthood v. Casey*.

While the public enforcement mechanism’s enforcement is based on other factors, the private enforcement mechanism is immediately enforceable. The Jewett Ordinance states, “Any person... may bring a civil enforcement suit against a person or entity that commits or intends to commit an unlawful act...” This section is immediately enforceable and allows for anyone, including any relative of the unborn child, to sue the abortionist or anyone who aids and abets the abortionist for the death of the unborn child.

If Jewett faces a lawsuit as a result of the adoption of this ordinance, former Texas Solicitor General Jonathan F. Mitchell has agreed to represent the city of Jewett at no cost to the city or taxpayers for any litigation which may result over the passage of their ordinance outlawing abortion.

Jewett is the 14th city in Texas to outlaw abortion since the lawsuit by Planned Parenthood against the City of Lubbock was [dismissed](#) in Federal Court and the 27th city to outlaw abortion since the ACLU [withdrew](#) its lawsuit against seven cities in East Texas. Jewett is not expected to be the last city to outlaw abortion. Other cities in Leon County which could outlaw abortion within their city limits in the near future include the cities of Buffalo (pop. 1,984), Normangee (pop. 778), Oakwood (pop. 510), and Marquez (pop. 313).

On the same night Jewett passed its ordinance, the City Council of Lindale, Texas (pop. 6,730), certified the Citizen Initiative Petition signatures which had been collected by Lindale residents to force a public vote outlawing abortion. The hearing for that decision was scheduled for March 24, 2022. The City of Lindale is the second city to schedule a public hearing this year to outlaw abortion. At the beginning of February the City Council of San Angelo, Texas (pop. 101,612), certified their Citizen Initiative Petition signatures and scheduled a hearing for March 1, 2022. If the City Council of San Angelo or Lindale adopt their ordinances then abortion will be outlawed within their city limits, however if the cities reject their ordinances there will exist the opportunity for their ordinances to go to the vote of the people – just like what happened in the city of Lubbock (pop. 264,000) in May 2021.



Planned Parenthood Withdraws Appeal Over Lubbock Anti-Abortion Ordinance

By [Mark Lee Dickson](#) | January 31, 2022

On May 1, 2021, Lubbock, Texas (pop. 264,000), became the largest city to pass an enforceable ordinance [outlawing abortion](#) when citizens voted 62.5 percent to 37.5 percent to adopt the ordinance as law in their city. The historic vote made Lubbock the first city to outlaw abortion while having an active abortion facility within its city limits. When the ordinance passed, the citizens knew it would not be without a challenge.

Planned Parenthood of Greater Texas sued the City of Lubbock on May 17, 2021. About two weeks later, on June 1, the lawsuit was dismissed in the United States District Court for the Northern District of Texas. Next, on June 29, Planned Parenthood asked the Honorable Judge James Wesley Hendrix to reconsider his ruling. After Judge Hendrix denied Planned Parenthood's motions for reconsideration on October 13, 2021, Planned Parenthood decided to appeal that ruling before the 5th Circuit United States Court of Appeals on November 12, 2021. On January 20, 2022, the decision was made to withdraw the appeal, officially [ending](#) the litigation against the City of Lubbock.

Upon hearing the news, many who helped in the Lubbock initiative celebrated the news. Two of the most outspoken voices about the victory were Sen. Charles Perry and State Rep. Dustin Burrows. Perry said, "I congratulate the City and the people of Lubbock on this historic victory – and for becoming the first jurisdiction in the United States to successfully defend an abortion ban in court since Roe v. Wade. This is an answer to so many of our prayers." Burrows

said, “Pro-Life Victory! In a major and historic victory for the right to life, Planned Parenthood is dropping its lawsuit over the city of Lubbock’s abortion ban, ensuring that the ordinance will remain in effect!”



Citizens gather outside Lubbock City Hall in 2020 to call upon their leaders to outlaw abortion.

Dorothy Boyett, who was head of the Citizen Initiative Petition Committee to get the ordinance on the ballot, said, “When people claim a Sanctuary City Ordinance will not hold up in court, they should look to Lubbock. Not only has Planned Parenthood ceased offering abortions here, they also have withdrawn their appeal.” Jim Baxa, the president of West Texas for Life and the lead organizer in the Citizen Initiative Petition drive, said, “We’ve known all along that this ordinance is constitutional, and we have been vindicated.”

Many throughout the college community also celebrated the news of the Lubbock victory. “It was a milestone for the pro-life movement. This was the first time an effective abortion ban was passed in a city with an active abortion facility. This was a huge deal.” said Jacob Meyer, a student at Texas Tech University. Kenzie Gardner, vice chairman of Young Conservatives of Texas at Texas Tech, said, “I think it was a hard-fought victory, and I am glad it went into the hands of the people to do what they want, rather than the elected officials who were not going to do what their constituents wanted.” YCT was one of the campus organizations that made the Lubbock initiative a top priority during the 2020/2021 school semesters.

“The ordinance was a historical and landmark moment,” said Clay Grossman, chairman of Young Conservatives of Texas at Texas Tech. “We set the stage for a year of pro-life victories across Texas and the United States, starting in little Lubbock.” Katherine Cochran, president of Raiders Defending Life at Texas Tech, shared, “Our victory in Lubbock, while monumental, was just beginning. I am excited to see Abilene hopefully pass the Sanctuary City Ordinance soon. Even though we won the fight to get (and keep) the ordinance in effect, there is still the fight for each person’s heart.”

As news began to spread, Planned Parenthood of Greater Texas decided to release a statement as well. Its president and CEO, Ken Lambrecht, shared, “While we have determined not to move forward with this appeal, this is not the end of our fight in Lubbock, and we continue to consider all legal options to challenge this unconstitutional local ban. Planned Parenthood remains committed to access in Lubbock and beyond.” One clear sign that Planned Parenthood of Greater Texas is not done with their fight in Lubbock is a recently posted job listing for a Community Outreach Specialist for Lubbock, Texas. The job description calls for an applicant willing to coordinate “outreach events on college campuses to educate and activate college students to advocate on behalf of PPGT and reproductive rights issues.”



West Texas for Life President Jim Baxa and YCT member Skyler Wachsmann verifying petition signatures to outlaw abortion in October 2020.

The student leaders with Raiders Defending Life at Texas Tech know of this job listing, and they are prepared to do their part to make sure everyone knows that the fight for life is far from over in Lubbock. Cochran shared, “Laws change things, but we also need to keep educating people about the pro-life position and keep being light and salt in our communities. That is why Raiders Defending Life gives out a yearly scholarship to a pregnant or parenting student at Texas Tech University.”

A director with Right To Life of East Texas is planning on working with the campus organization to make sure the organization has everything they need to continue their strong pro-life presence on campus. “One thing which will be done is making sure that RDL leaders have quality shirts with solid pro-life messaging from [Empower Life Co.](#) Wearing a pro-life shirt to a class can go a long way in the fight to maintain a pro-life culture, especially in a place where Planned Parenthood is targeting.” Increased funding for the pregnant/parenting scholarships provided by the campus organization is also being discussed.



Texas Tech YCT members with Right to Life of East Texas Director Mark Lee Dickson after block walking to collect citizen initiative petition signatures to outlaw abortion in Abilene, Texas.

The Lubbock Ordinance Outlawing Abortion has two major enforcement mechanisms: the public enforcement mechanism and the private enforcement mechanism. While the public enforcement mechanism section of the ordinance is dependent upon other factors, the private enforcement is immediate. The public enforcement establishes fines against the abortionist and anyone who aids and abets the abortionist for any abortion that takes place within the city limits of Lubbock. These fines cannot be imposed unless it is determined that the individual seeking to impose the penalty upon the one who committed the unlawful act will not create an “undue burden” on women seeking abortions, the person, corporation, or entity who committed the unlawful act of abortion lacks standing to assert the third-party rights of women seeking abortions in court, or *Roe v. Wade* and *Planned Parenthood v. Casey* is overturned. The private enforcement mechanism allows for anyone, including family members of a child killed by abortion, to sue the abortionist or anyone who aids and abets the abortionist in the murder of an unborn child. Since the ordinance went into effect on June 1, 2021, the law has been complied with by Planned Parenthood, and no babies have been murdered by abortion in Lubbock, Texas.

Titus Folks, grassroots political coordinator with Students for Life of America, shared, “Lubbock proved that we can take action now to save babies from abortion in Texas. Students for Life was proud to mobilize dozens of pro-life students to take action in the Lubbock ballot referendum. We plan to continue our role in this life-saving movement.”

A total of 43 cities have passed ordinances outlawing abortion in the United States. Of those 43 cities, 39 are in [Texas](#), two are in Nebraska, and two are in Ohio. Currently, four cities ([San Angelo](#), [Abilene](#), [Lindale](#), and [Plainview](#)) are doing citizen initiative petitions, following in Lubbock’s footsteps.

Key Texas abortion opponent sees Supreme Court decision as validation to keep fighting

Mark Lee Dickson helped Texas towns ban abortion. On Friday, the Supreme Court declined to block a state law modeled on his ordinance. “We can go anywhere now,” he said.

BY ELEANOR KLIBANOFF DEC. 12, 2021 6 PM CENTRAL



Mark Lee Dickson bows his head as Pastor Scott Beard prays during a worship service at the FountainGate Fellowship church in Abilene on Sunday. Credit: Shelby Tauber for The Texas Tribune

ABILENE — Mark Lee Dickson bounded on stage at FountainGate Fellowship in this West Texas town Sunday as the worship band wrapped up their first song.

“We had a very important day on Friday,” Dickson said to the rapt crowd, referring to the [U.S. Supreme Court ruling on Texas’ ban on abortions](#) after about six weeks of pregnancy. He let the suspense hang for a moment.

“But I’m here to tell you — the Texas Heartbeat Act is still in effect.”

The congregation exploded into cheers and applause as Dickson grinned.

“Let’s praise God for that,” he said.

Across the auditorium, arms went up and eyes closed, dozens of people offering their gratitude that abortions would continue to be largely inaccessible in the second largest state in the country.

This long-awaited moment for abortion opponents is due in large part to Dickson, an early advocate for the [law’s unique enforcement mechanism](#), which deputizes private citizens to sue anyone who “aids or abets” in an abortion after an [embryo’s cardiac activity is detected](#), usually [around six weeks of pregnancy](#).

[Abortion providers challenged the law](#), arguing it violates the constitutional protections for abortion enshrined in Roe v. Wade and subsequent rulings. On Friday, the Supreme Court allowed some of those challenges to proceed — but also left the law in place.

While the high court didn’t explicitly uphold the enforcement provision, a majority of justices declined to block it while the case returns to a lower court to be reargued. That decision shocked abortion providers and splintered the justices, who seemed caught in what Justice Elena Kagan called the “procedural morass” of the private enforcement mechanism, which is designed to evade judicial review.

The justices all agreed, however, to dismiss a challenge against the lone private individual named on the suit: Mark Lee Dickson.

On stage at FountainGate, Dickson threw his arms wide and grinned.

“It’s not every day that all nine justices agree with Mark Lee Dickson,” he said.

The crowd cheered and clapped. As the lights went down and the worship music swelled, Dickson slipped out the back, heading to another church across town. His work — and his victory lap — wasn't done yet.

Local success spurred state law

Dickson, who lives in the Longview area, has been involved in anti-abortion activism since he was a kid, protesting at clinics and leading Right to Life of East Texas. But it was another Supreme Court case, in 2019, that really mobilized him.

[June Medical Services v. Russo](#) challenged a Louisiana law requiring abortion providers to have admitting privileges at nearby hospitals. The Supreme Court eventually struck down the law, relying mostly on a Texas case, [Whole Woman's Health v. Hellerstedt](#), as precedent.

But while that case was proceeding through the justice system, Dickson started to get worried. One of Louisiana's last remaining abortion clinics was just over the border from Texas, in Shreveport.

Dickson reached out to the mayor of Waskom, Texas, concerned that the clinic might cross the border. This "chatter," as he called it, stemmed mostly from a newspaper article from the early 1990s that, he says, indicated the clinic had previously considered moving into Waskom to evade Louisiana's abortion restrictions. "Waskom did not want to be the mecca for abortions in that area," he said. "These clinics draw from hundreds of miles. That's not what they wanted to be known for in Waskom."

Dickson got the mayor and city council on board to pass an ordinance banning abortion within city limits. He was worried about legal challenges, though, so state Sen. [Bryan Hughes](#), R-Mineola, connected him with Jonathan Mitchell, the former solicitor general of Texas. That's when Mitchell proposed adding a private enforcement mechanism, empowering individual citizens to bring civil lawsuits against violators of the law. This unique workaround makes it very hard to challenge the law on the grounds that the city is violating the constitutional protection for abortion.

At first, it was just small towns that passed these ordinances. None of them even had abortion providers within city limits. These so-called “sanctuary cities for the unborn” [faced legal challenges](#) but were largely allowed to keep the ordinances on the books.



In May, children in Lubbock held signs supporting Proposition A, a local ordinance which would ban abortions in the city.



Mark Lee Dickson spoke during a Proposition A watch party at Trinity Church in Lubbock on May 1. Credit: Justin Rex for The Texas Tribune

But in May 2021, less than a year after a Planned Parenthood opened in Lubbock, the city of 250,000 [voted to make abortion illegal](#) within city limits. After a [judge threw out Planned Parenthood's lawsuit](#) challenging the ordinance, the clinic [stopped providing abortions](#).

That same month, [Gov. Greg Abbott signed Senate Bill 8 into law](#), empowering anyone to bring a lawsuit against anyone who “aids or abets” in an abortion in Texas after cardiac activity is detected. That’s typically around six weeks of pregnancy, a point at which many patients don’t yet know they’re pregnant. The bill is called the “Texas Heartbeat Act,” even though medical experts say [that name is misleading](#) because the activity measured on an ultrasound in early gestation is electrical impulses, not a true heartbeat.

The law has no exception for rape or incest and allows anyone, whether or not they even know the pregnant patient, to bring a suit. The state law was decried across the country as unconstitutional, exploiting a legal loophole that many believed would soon be closed by the courts. But Dickson wasn’t worried.

“Having seen the success, that it worked in cities, and that cities had survived challenges, it gave me greater confidence that the state’s heartbeat law would survive legal challenges as well,” said Dickson. “And that’s what we’ve seen.”

Legal challenges leave law in place

Since the Supreme Court ruled on *Roe v. Wade* in 1973, it’s been unconstitutional to institute bans on abortion before viability — the point at which a fetus is likely to survive outside the womb, usually around 24 weeks.

And yet, since Sept. 1, Texas has managed to ban abortions after about six weeks of pregnancy. [A study from UT Austin](#) showed abortions plummeted by half in the first month after the law went into effect, but providers say the drop is far greater — they’re serving a small fraction of their previous caseloads.

The U.S. Supreme Court declined to block the law before it went into effect, but called for an expedited [hearing on Nov. 1](#). The question before the court was largely procedural: If the government isn’t enforcing the law, who can providers bring a legal challenge against?

Lawyers for the providers argued that there were several possible avenues: the judges who hear the cases, the court clerks who docket them, state licensing agencies, the Texas attorney general and even Mark Lee Dickson himself.

[In a long-awaited ruling Friday](#), the court threw out most of those challenges, including the one against Dickson, but allowed a narrow challenge to continue. The court declined to grant an injunction to block the law and returned it down to a lower court to be argued again. In a separate case, [a state judge ruled Thursday](#) that the law violated the Texas constitution but also didn't stop it from being enforced. Friday's ruling was initially hailed as a victory by abortion providers, but within a few hours, [the tone had shifted](#).

“It was our hope this morning that we could tell our hotline callers that this law was not going to prevent them from getting the care they need, that the court affirms that our reproductive decisions are worthy of respect, compassion and care,” said Amanda Williams, the executive director of the Lilith Fund. “But that's simply not what this ruling means.”

Amy Hagstrom Miller, the president and CEO of Whole Woman's Health, which runs four abortion clinics in Texas, said on a press call that they would not be able to remain open indefinitely if these restrictions remained in place.

“Today's decision is not OK,” she said. “It is unjust, cruel and inhumane.”

The fight continues

When Dickson heard that the Supreme Court had dismissed the challenges against him and allowed the law to remain in effect, he was happy. He was also very sleepy. He'd driven 15 hours overnight from Nebraska, he said, where he is working with towns to pass similar ordinances banning abortions in city limits. He went back to sleep after he got the news, and when he woke up, he hit the road again, this time to San Angelo and Abilene, his latest targets in Texas.

“So it's business as usual,” he said. “There's still work to be done. But it is encouraging to see good laws survive.”

This was his message on Sunday morning as he visited churches in Abilene. He's working with churches across the city to collect enough signatures to get the abortion ban ordinance on the city council's agenda. If the city doesn't pass it directly, Dickson said they're prepared to get a referendum on the ballot during the next election.

At New Hope Church in Abilene, he stood on the stage, flanked by Christmas trees.

"There's coming a day here in Abilene that we're going to see Abilene become a sanctuary city for the unborn," he said. "There are going to be a lot of unborn children leaping in their mothers' wombs at that decision."



Mark Lee Dickson speaks to the congregation during a worship service at New Hope Church in Abilene on Dec. 12, 2021. Credit: Shelby Tauber for the Texas Tribune

He explained that Friday's Supreme Court ruling, though procedural, was an important step in reassuring city leadership, in Abilene and across the country, that these sorts of laws hold up in court. "If you're pregnant right now and you felt a little kick on Friday, that might have been because of the great news we heard from the Supreme Court of the United States," he said, the crowd cheering him on.

In an interview afterward, he said he saw the ruling as a green light to take this sort of ordinances across the country. “Wherever we go, whether that be in Texas or Nebraska or Ohio or Kentucky or Florida ... we can go anywhere now and say, look, this enforcement mechanism has survived before the Supreme Court of the United States,” he said. “It’s been tested, and it stands.”