

FOIA Marker

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Political Affairs, White House Office of

Mehlman, Kenneth (Ken)

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Folder Title:

Right to Life

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Letter	[Letter with attachments] - To: Karl [Rove] - From: Darla St. Martin	12	10/31/2001	PRM;

COLLECTION TITLE:

Political Affairs, White House Office of

SERIES:

Mehlman, Kenneth (Ken)

FOLDER TITLE:

Right to Life

FRC ID:

5676

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

Withdrawal Marker

The George W. Bush Library

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For a complete list of items withdrawn from this folder, see the
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SERIES:

Mehlman, Kenneth (Ken)

FOLDER TITLE:

Right to Life

FRC ID:

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OA Num.:

1769

NARA Num.:

1680

FOIA IDs and Segments:

2017-0383-F

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file pro-
life

**Document Originally
Attached to
Following Page**

Vote...

so she will have a chance to



A Public Service Message from the Fourth Degree, Knights of Columbus



A black and white photograph featuring a man in the foreground, smiling warmly at the camera. He has short, dark hair and is wearing a dark-colored shirt. Behind him, a young child with light-colored hair is visible, looking towards the camera with a neutral expression. The background is softly blurred, showing what appears to be the shoulder and arm of another person. The overall mood is intimate and positive.

Trust



Trust is what we see in our children's eyes. It's what we earn with our integrity. Knights of Columbus Insurance began earning the trust of its members in 1882. Generations later, we're proud to rank in the top 5% of the nation's best insurers (based on total value of assets). As a leading insurer, Knights of Columbus Insurance offers exceptional financial protection through flexible, competitively priced insurance solutions that are tailored to meet your needs now and in the years to come. In addition, you'll also get personal service from a trained representative who's a Knight just like you. Which means, you can be certain you're getting the best in both service and protection. Not

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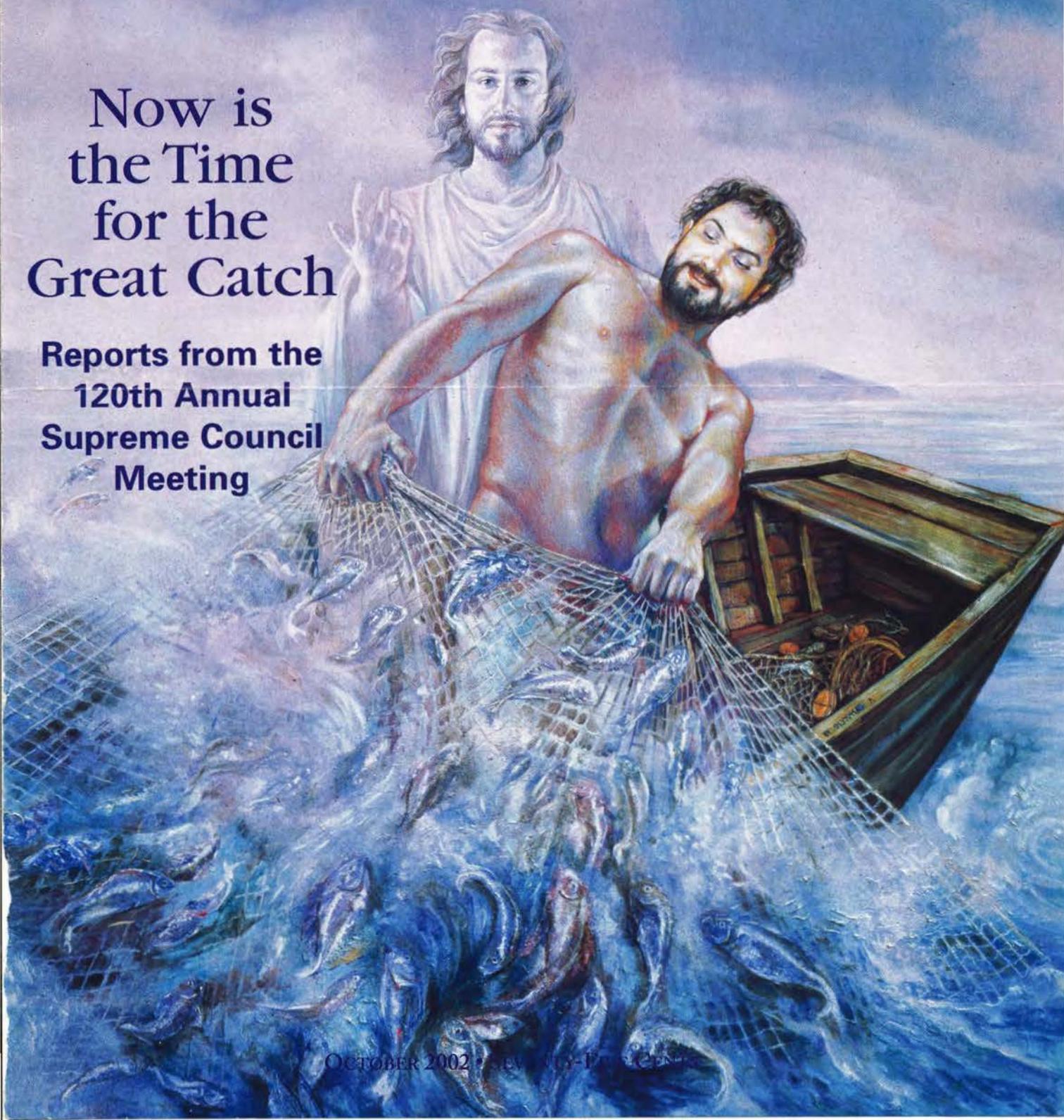


KNIGHTS OF COLUMBUS

COLUMBIA

Now is
the Time
for the
Great Catch

Reports from the
120th Annual
Supreme Council
Meeting



OCTOBER 2002 • \$5.00 • VOLUME 11 • NUMBER 10

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The Calgary Sun

Abortion

October 27, 2002 Sunday, Final Edition

SECTION: Editorial/Opinion; Pg. C8; Southern Exposure

LENGTH: 707 words

HEADLINE: TWISTS AND TURNS;
LIVING IN AN 'ABORTION CULTURE' AWKWARD

BYLINE: GEORGE WILL

DATELINE: WASHINGTON

BODY:

Antonio Pena and Jaclyn Kurr of Michigan were a turbulent pair. She had sought hospital treatment for injuries he inflicted, and spent time in a domestic violence shelter. Then came their argument about his cocaine use, during which he twice punched her in the stomach.

Kurr did not fear for her life, but warned Pena that she was carrying his babies. She was 16 or 17 weeks pregnant with quadruplets. When Pena seemed about to punch her again, she stabbed him in the chest, fatally. Thus began another awkward episode of living with an abortion culture.

Convicted of voluntary manslaughter, Kurr was sentenced as a habitual offender to five to 20 years' imprisonment. The trial judge denied her request that the jury be instructed that she had a right to use deadly force in "defense of others," namely her babies.

The judge ruled that a fetus under 22 weeks old is not "viable," meaning not capable of surviving outside the mother's womb. (The noun "mother," which seems to postulate the existence of an "other" of the sort properly denoted by the noun "baby," is routinely used in court rulings about abortion.) Therefore, said the judge, there were no "others" to make the "defence of others" rule applicable. He said:

"That's my theory."

His "theory" is that an unborn baby -- which has its own unique DNA complex, and which will, absent natural misfortune or deliberate attack (by abortion or someone like Pena) become a born human being -- is not an "other." But a Michigan court of appeals disagrees.

It has ordered a new trial, ruling that under Michigan law Kurr had a right to invoke the defence of "others." The appeals court noted that in 1998, Michigan's Legislature adopted a fetal defence act which does not distinguish between viable and nonviable fetuses and says it is a crime to cause a miscarriage or stillbirth while acting "in wanton or willful disregard of the likelihood that the natural tendency of" such conduct is to cause a miscarriage or stillbirth.

The appeals court said the Legislature plainly believes "that fetuses are worthy of protection as living entities." About half the states have such laws. But given the U.S. Supreme Court's 1973 ruling in Roe vs. Wade, states can treat fetuses as worthy of protection from people like Pena, but not from their mothers. The "defence of others" doctrine allows an individual to protect an unborn baby only from unlawful violence, which does not include abortion.

There have been many cases illustrating the impossibility of reconciling an abortion culture - the right of unlimited abortion on demand -- and moral judgments of the sort expressed in

Michigan law.

Abortion kills something. What is it?

A television commercial for General Electric's new ultrasound system shows a pregnant woman and her husband marveling at an amazingly clear picture of their unborn baby's features. The commercial features Roberta Flack's song *The First Time Ever I Saw Your Face*. The announcer says: "When you see your baby for the first time on the new GE 4D ultrasound system, it really is a miracle."

By the time babies are as old as Kurr's quadruplets were, ultrasound can show their fingers and beating hearts. The Supreme Court in *Roe* called such babies "potential life," a weird opinion that could be forgiven if this were the 11th century, knowing nothing of embryology or microbiology -- if the beginning of life were a matter of uninformed conjecture.

Today, doctors perform wonders of prenatal diagnostic and therapeutic medicine, administering drugs and blood transfusions and performing surgery in utero -- treating as patients fetuses that mothers have a right to kill.

Many expectant couples have, in the nurseries they have prepared for their "potential" babies, framed ultrasound photographs of the "potential" babies. Many couples have fetal heartbeat stethoscopes for listening to --what? "potential" heartbeats?

A few weeks after being punched by Pena, Kurr miscarried. Whether the punches caused the miscarriage is unclear. She had a constitutional right -- her privacy right of "choice" -- to kill the unborn babies. And in Michigan and many other states, she could kill someone who endangered them.

That's the law.

LOAD-DATE: October 27, 2002

Document 1 of 3 [next](#) ►

Abortion

Minnesota, Missouri, New Hampshire, North Carolina, South Dakota, Texas):

Did the abortion issue affect your vote? YES - 41%

SENATE RACES

Voted for pro-life Republican Senate candidate: 55% (23% of electorate)

(asked by name)

Voted for pro-abortion Democratic Senate candidate: 39% (16% of electorate)

(asked by name)

Pro-Life Increment for U.S. Senate Candidates: 7%

GENERAL BALLOT

Voted for pro-life candidate in general: 61% (25% of the electorate)

Voted for pro-abortion candidate in general: 31% (13% of the electorate)

Pro-Life Increment for Candidates in General: 12%

NATIONAL RIGHT TO LIFE PAC

Do you recall hearing or seeing information from National Right to Life PAC?

(Arkansas, Colorado, Georgia, Missouri, New Hampshire, North Carolina, South Dakota and Texas only)

YES - 40%

Fox News/Opinion Dynamics Poll

conducted November 4-5, 2002

(+/- 3% in each state)

Which issue mattered most in deciding your vote for Senate?

GEORGIA

Abortion: 9%

Voted for Saxby Chambliss: 73% (7% of electorate)

Voted for Max Cleland: 22% (2% of electorate)

Pro-Life Increment: 5%

MINNESOTA

Abortion: 14%

Voted for Norm Coleman: 81% (11% of electorate)

Voted for Walter Mondale: 17% (2% of electorate)

Pro-Life Increment: 9%

MISSOURI

Abortion: 17%

Voted for Jim Talent: 80% (14% of electorate)

Voted for Jean Carnahan: 19% (3% of electorate)

Pro-Life Increment: 10% (after rounding)



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