



Broadcast Transcript

Broadcast: The Significance of the Texas Heartbeat Law- Part 1

Guest(s): Janet Porter

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Dr. James Dobson: Well, hello, everyone. I'm James Dobson, and you're listening to Family Talk, a listener supported ministry. In fact, thank you so much for being part of that support for James Dobson Family Institute.

Roger Marsh: Hello and welcome to Family Talk. I'm Roger Marsh. On September 1st, the US Supreme Court refused to block the Texas Heartbeat Act, thereby allowing the law to go into effect. This lifesaving law states that if a heartbeat is detected in a pre-born baby, that baby is protected in the State of Texas. This was an exciting and historic victory for life in Texas, but the battle for life is ongoing. A Texas court has since acted to block the law while its constitutionality is litigated in the lower courts.

We must all continue to watch and pray as these cases proceed. Just days after the Supreme Court refused to block the Texas Heartbeat Act, Dr. Dobson sat down for a conversation with his friend, Janet Porter. Janet is at the origin of several state level heartbeat bills and laws, and the two of them discussed the Texas Heartbeat Act and what it might mean for the pro-life movement. Let's listen in right now.

Dr. James Dobson: Well, hello, everyone. I'm Dr. James Dobson, and you're listening to the James Dobson Family Institute. We have interrupted the program that we had planned for today to bring you especially those who have not heard some very good news. Just before midnight on September 1st, the US Supreme Court released a momentous announcement. In a five-four decision, the court allowed a pro-life law in Texas to remain enforced. In other words, it declined to issue a stay of a law that prohibits abortions from being performed once an unborn child's heartbeat can be detected.

We have been talking about that and praying about that and promoting that idea for a long time, and it happened in the State of Texas. The heartbeat typically occurs at about six weeks gestation, and this law effectively bans almost all abortions in the State of Texas. We call it a heartbeat law, and we want to talk by phone today with the woman who championed this legislation and has led the fight to pass it. She is Janet Porter, and she has been our guest many times through the years, often talking about this very issue.

Before I introduce her and we hear from her, I want to read her rather extensive bio, because it is certainly relevant to what is happening right now. Janet Porter served as legislative director of Ohio Right to Life, where she successfully lobbied for the passage of the nation's first partial birth abortion ban. She also worked as a national director for the Center for Reclaiming America that was founded by Dr. D. James Kennedy, a great friend of mine, where she initiated the Truth and Love campaign, featuring ex-homosexuals in newspaper and television ads.

She has appeared on *CNN's Anderson Cooper 360* and *Fox and Friends*, *NBC's Today's Show*, *ABC's Evening News*, *20/20 Nightline*, and *CBS This Morning*, every step of the way advocating for the sanctity of human life. Janet is the founder of *Faith2Action*. And as I just said, she's architect of the pro-life bill, which ensures that if a heartbeat is detected, the baby is protected. Great line. Heartbeat bills have been introduced in 29 states now and were passed, get this, everybody, they're passed by 14 of them.

She chronicled her decade long battle to save babies in her latest book, *A Heartbeat Away*. Janet's on the phone. Janet, that's quite a resume. We can't tell you and overstate how much we appreciate the work you've put into this very issue.

Janet Porter: I am very grateful, Dr. Dobson, and I can't overstate how much I appreciate the fact that you were one of the few who stood with us from the beginning a decade ago. When we introduced the first heartbeat bill, they said it was impossible. You stood with me through this battle, not only in the states, but also at the federal level with the congressional version of the heartbeat bill. I just want to publicly say thank you for being a visionary to see that this could in fact provide a pathway to victory.

Dr. James Dobson: Well, I'm so honored to have had you on the program to talk about this. For many people, it was the first time they'd heard about it, isn't it?

Janet Porter: Yes, yes, it is. We're not getting a lot of real news from the outlets these days, but that's why your program is so very important and that's why I'm so very grateful that you would give me the opportunity to come on and let people know that there is hope and there is hope like we have never seen this movement as we are learning now with the events of Texas.

Dr. James Dobson: It's really important at that point to tell everybody that the Supreme Court decision did not address *Roe v. Wade*. It prohibits abortion after a heartbeat, but we still have to fight this battle all the way to the wire, don't we?

Janet Porter: Of course, we do. But what happened is absolutely historic. What we have just witnessed is what we have prayed for and longed for and work for for nearly 50 years. There is a place in the United States of America where most every child is protected by law. Every child whose heartbeat is detected is legally protected in

the State of Texas. And I got to tell you something, that's something to celebrate because that's more than 40,000 babies lives every year. I didn't really believe it. I had some people make some phone calls.

I didn't just believe the news reports, but we tried to make appointments and they're not doing them. At least not right now. There were, according to NBC, 11 Planned Parenthood's that said after six weeks they will not kill children, and four others have said the same thing. This is a monumental day, and I celebrate it. But I made a promise back in 2011 when we introduced the first heartbeat bill in the purple State of Ohio, I made a promise.

I said, "God, if you give us this, if you give us this victory, if you will give us a law and a law that can be enforced where children will live and not die, I will make sure, I promise that you will get all the credit and all the glory." I just want to say publicly that all the credit and all the glory goes to Jesus Christ. He is the author and the giver of life.

Dr. James Dobson: Before you came on, we prayed together and thanked the Lord for this victory. It is a victory. And if it were not a victory, the left wouldn't be screaming bloody murder like they are. On the way in today, I heard a reporter asked President Biden what he was going to do about this, and there was some hand ringing there. There's a reason why they're upset about it, and the reason is because we're protecting babies. Isn't this the first time since 1973 anywhere in America that a baby was safe since Roe v. Wade?

Janet Porter: This is the first time where we have seen a law, an ongoing law, that legally protects children since Roe vs. Wade. It's a phenomenal, phenomenal victory.

Dr. James Dobson: Well, this has been the passion of your heart for a long time, Janet. What were you feeling at midnight when you got the news?

Janet Porter: Well, I remember waking up on September 1st and it was very early in the morning. First thing I did was I looked at my phone and I saw that they had not blocked this bill. As the pro-aborts had asked, they did not block this law. And the first thing I did was I got out of bed and I got on my knees and I began to sob and thank God for what He did. This is so long and coming. It's such a long, long wait, but I knew it was coming, but I was just so ecstatic.

I mean, honestly, since that time, I'd be sitting in meetings with people and all I can think of by the grace of God, we just saw children protected in one of the largest states in America. It is absolutely... What's the word. If you've been hoping for something and praying something and working for something for decade after decade after decade after decade, I've been in this moment more than 40 years, I've been in the heartbeat battle since God put the idea in my heart in 2010, and to see this day, it is indescribable. There's just no way that I can tell you how my heart leapt with this news.

Dr. James Dobson: You said a few minutes ago they estimated the number of babies in Texas that will be saved in a year. What is that number?

Janet Porter: Well, they're saying that and even Planned Parenthood has come out and said that this bill will protect, the Texas heartbeat law that says if a heartbeat is detected, the baby is protected, will protect as much as 85 to 90% of the babies who would otherwise be killed. It's interesting because when we first introduced the first Heartbeat Bill, and this was in 2011 in Ohio, Dr. Wilkie, another friend of yours who's since gone on to his reward, he came and testified and he said that this will protect 90% of the children.

It's interesting. It's very rare in life where we're Dr. Wilkie has the pro-abortion movement agreeing with him. I just looked at the numbers and said, "Well, that's more than 40,000 babies with the numbers of abortions in the State of Texas." we're looking at just another generation who will be born and will live and celebrate and fulfill their purpose and destiny on this earth because of what just happened in the state of Texas.

Dr. James Dobson: That just leaves me breathless. I just can't express how I feel about this. I was riding in the car in 1973 when I heard about Roe v. Wade, and it hit me like a ton of bricks. I knew what it meant for babies. I knew that it would be a massive assault on the sanctity of human life. And from that time to this, there hadn't been a whole lot to cheer about. I mean, there've been some victories, but this is the first time that the Supreme Court has issued a ruling that excited us in this way.

Janet Porter: This is the thing, doc, and we've talked about this in the past, but what we've seen... I was a part of the pro-life establishment. I was legislative director of Ohio Right to Life before they fought us in the heartbeat bill, but I worked to past those things, the parental consent and the right to know and the first partial birth abortion. We did all those things. But at the end of the day, we still killed more than a million children every year. There's no way you can describe that as a success when you've got a body count of more than a million Americans.

If we want different results, we need to try a different approach. It actually started when my husband said hey... We moved back to Ohio from Florida. He said, "Why don't you outlaw abortion while you're here?" And it seems so monumental and certainly knew I was working on it. It seemed too big to do while I'm here. And yet a couple of weeks later, God put the idea in my heart for the heartbeat bill to keep hearts beating. It's a different approach.

Dr. James Dobson: This actually began with you and your thought process.

Janet Porter: I realized this as I was writing *A Heartbeat Away* that I actually pitched this idea like 25 years ago, Dr. Dobson. I'm embarrassed to say this, but I was a kid out of college. I was president of Students For Life, and I had become legislative

director of Ohio Right to Life right out of graduate school. I went to one of these legislative conferences. We were meeting in Chicago and all of these legislators from all over the country were there. I said to them...

You know those social meetings they have after the workshops, and I just said, "Hey, listen, if we can't rescue every child, if we can't get them all the way back from conception just yet, if we can't protect those kids, why don't we protect them from the moment when we hear their hearts begin to beat? The heartbeat is the universally recognized indicator of life." I pitched this idea for a heartbeat bill about 25 years ago. And I'm going to tell you something, it was spiritual. It had to be because it was unnatural what happened.

I was surrounded by these legislators who basically one after the other in just like a spitfire action they said, "This can't be done. No, we've got to only regulate abortion. We can only work around the edges of abortion. We could never end it, not until years and years from now and the courts and the stars and everything being right." I didn't believe them right away. There was a guy I worked, who was my boss, and he got red in the face.

He called in other legislators and they basically said, "This guy is a judge and this guy is a speaker of the house and this guy is somebody else," and here's what they basically said to me. They said, "You know what? We are experienced legislators. We are esteemed educators. We are all these different positions and you're just a kid out of college and who do you think you are to question our well-thought out legal strategy?" And you know what?

I got beaten down into the place where I actually forgot about the fact that I pitched this idea and it got beaten out of me. Every time it ever tried to come up, they're always be, "It can't be done. You'll do more harm than good," all the rest. It was actually at the wake of the man, who was my boss, who said to me, "It can't be done." He got red in the face. "You need to just do what you're told and do these regulatory bills." I wasn't happy with those.

But at his wake, I realized, here this man, worked his whole life with his legal strategy, and he never got to see what he worked for. He never got to see the end of abortion. And at that moment, it was something spiritual. If you live your whole life... I had just lost my father at this moment in time, and life is short even if you live your whole life. I'm tired of waiting. How much longer are we supposed to wait to end abortion? It's now going on 50 years. I pitched the idea for a heartbeat bill right then at the wake, gathered some people, went to a restaurant.

A week later, had a house warming party at our new Ohio house where we just moved, and I had all these people at my home. They came. They stayed over, and I greeted these guests with breakfast and a whiteboard. And on the whiteboard, I wrote two words that no one had ever heard before and the words were heartbeat bill. And by the end of that day, we had a sponsor in the

Ohio House of Representatives who was the chairman of the committee. By February, we introduced the bill with 50 of the 99 reps as co-sponsors.

And by 2013, Arkansas had heard about our bill and it passed the nation's first heartbeat law. But we had to keep going. I mean, as you know, we had to introduce it five times in the State of Ohio. We were vetoed twice. We came within one vote of overriding John Kasich's veto, but we introduced it the next year. It was one of the strongest bills in the country. But that bill, the Ohio bill, like the other 13 bills, had a criminal component.

It said that if you are an abortionist, you take the life of a child with a detectable heartbeat, that makes you a felon, which means you lose your medical license, which means you stop killing children legally in this country. But what Texas did was something different. What Texas did... I was in on some of the early calls when we were working to draft it with some of our lawyers like Professor David Forte, Walter Weber with the American Center for Law and Justice, and others from Texas.

We were working on drafting this bill and they presented the idea of a civil penalty. I mean, I'm just going to tell you straight out. I was thinking, man, I wish we could have a criminal element as well. They're like, "No, no. Let's try civil penalty." Because what the Texas bill did, unlike the other heartbeat bills...

Dr. James Dobson: Janet, let me interrupt you.

Janet Porter: Sure.

Dr. James Dobson: I'm asking people to tune in right here to what Janet's about to say, because it's very, very important. Go ahead.

Janet Porter: What happened in Texas is it got to the heart of the issue and that is the motivation behind abortion, and that is money. It's interesting. We tried all these other approaches and all of these other laws and making it a felony and everything else. They didn't care about any of that. What they cared about is the fact that they were going to lose the money that motivated them to do the child killing in the first place.

What the Texas law says is if you are a citizen, any citizen, we don't have to rely on some elected official to do their job, if a citizen in the State of Texas realizes that the heartbeat law of Texas has been violated, they can file a suit. And if they succeed, if they win in that lawsuit, what that means is the abortionist will be paying them \$10,000. But not just the abortionist, Dr. Dobson, this goes after anybody who aids and abets in aborting a child who has a detectable heartbeat. What this means is that that's the clinic escorts. It's the secretaries. It's the insurance companies. It's those who are involved in killing children with detectable heartbeats and connected in any way.

Dr. James Dobson: Money drives the whole thing. You talk about money and you get to the heart of the issue.

Janet Porter: That's right. It's the blood lust for blood money. We got their motivation and that's what changed hearts. That's what got them to at least say, "We're not killing children from the point of detectable heartbeat." Some say it's six weeks. This is not a six week bill, by the way. They talk about it as if it's a timeframe bill. Do you know why they do that? Because the pro-aborts know that on heartbeat, they've lost the issue.

They don't want to talk about heartbeat, because on a heartbeat, they realize every American understands that if there's a heartbeat, there's life. I mean, that's why we have those heart monitors in hospitals. They're not there for decoration. Everybody gets that. When there's a flat line, guess what? There's no more life. And the polls bear this out. George Barna poll that we did recently showed that seven out of 10 in America believe that if a doctor can detect the heartbeat of an unborn child, that child should be protected by law.

Dr. James Dobson: 70%. 70%. Get that.

Janet Porter: Seven out of 10. That's right. If you are Republican and you're looking to run in a primary, it's kind of nice to know that 86% of Republicans favor the heartbeat bill. It's tough to get an issue where almost nine out of 10 support it.

Dr. James Dobson: Janet, you telling us the story of how this came about and how the Lord spoke to you early on right out of college is reminiscent of a little kid named David who had a slingshot and five smooth stones went up against Goliath. You were up against many people who even agree with us spiritually.

Janet Porter: What's interesting is when we started this and they said it was impossible... You talked about how we passed the nation's first ban on partial birth abortion and what we had to go through, a discharge petition which had never been done in the history of the state, to get it through a hostile committee takeover, and all these things. When I went to Texas to testify for the Texas heartbeat law, what I told them... I think probably the most effective thing that I said. Texans are kind of proud.

It's a ruby red state, and I said, "Listen, if the purple State of Ohio can pass a heartbeat law, surely the State of Texas with a Republican house and senate and governor had pro-life majorities, surely you guys can do it." And honestly, there were some who came out and they were frankly embarrassed that Texas was number 14 and not number one. But the good news is they did it.

Dr. James Dobson: 14 states have passed similar legislation.

Janet Porter: That's right.

Dr. James Dobson: We're running out of time, Janet, at least for this program. One of the things that excites me maybe the most is the trend in the Supreme Court. Five-four, that's never happened before. We don't know what the Supreme Court's going to do, because it always does what it does. But the fact that we had a majority even by one justice in this case is encouraging.

Janet Porter: It really is. It bodes well on the cases like Mississippi and those that are coming forth.

Dr. James Dobson: Well, we're out of time or almost out of time now. Janet, we've got you on the phone. Why don't we hang onto you? Would you continue to talk about this issue, because there's a lot more? I want to get into the Mississippi situation because it has great relevance for the entire country. That's where Roe v. Wade will be perhaps either struck down or affirmed. We need to talk about that. Would you stay with us?

Janet Porter: Of course.

Dr. James Dobson: Congratulations, Janet, for what you have done. The Lord used you in this hour.

Janet Porter: Praise the Lord.

Dr. James Dobson: We'll talk again.

Roger Marsh: Well, that is some exciting news for life coming out of Texas this month. We must continue to pray for God's favor and help as we fight for life and against the evil that is abortion. Now, as I mentioned at the top of the program, since the time this broadcast was recorded, a Texas court has blocked the new Texas heartbeat act while its constitutionality is litigated in lower courts. Let's watch and pray as these cases proceed.

Even though the battle is still being waged, the fact that the Supreme Court refused to block the Texas law bodes well for the fight ahead and is indeed a victory for the sanctity of all human life. And after over 60 million innocent lives have been senselessly erased, an evil Dr. Dobson has fought since that dark day that Roe v. Wade somehow made murder legal, we ask that God may have mercy on us all. Here at Family Talk, we never liked to tackle the issue of abortion without expressing our concern and compassion for women who are in crisis pregnancies.

When you're in that position, it can feel like there is no one to turn to and nowhere to go. Well, we want to tell you though, that you do have a choice. You don't have to get an abortion. There are compassionate people all over the US just waiting to love you and help you through this difficult but blessed journey. As our friend Lila Rose, president of Live Action, says, "Always celebrate life first." So, congratulations! Regardless of your circumstances, the baby in your womb was handmade by God and his or her life has meaning.

And mom, so does yours. Now, if you want to learn more about the pro-life movement or even get involved, please check out our friends The Human Coalition at humancoalition.org. The Human Coalition is a pro-life organization that is working to eradicate abortion from the US. Again, their web address is humancoalition.org. Dr. Dobson and Janet Porter still have more to discuss about the Texas heartbeat bill and what it might mean for the future of the pro-life movement.

Please join us again tomorrow here on Family Talk to hear the rest of their conversation. Thanks for listening again today. I'm Roger Marsh. Hope you and your family have a blessed day.

Announcer: This has been a presentation of the Dr. James Dobson Family Institute.

Dr. Tim Clinton: Hi, everyone. This is Dr. Tim Clinton here for Dr. James Dobson's Family Talk. The news comes in all kinds of shapes, sizes, and formats these days, but how do you cut through the noise and get to the heart of the matters that affect your family? Come to Dr. James Dobson's Family Talk and sign up for Dr. Dobson's monthly newsletter. You'll find clarity on tough issues, encouragement for your everyday life, and trusted principles to help you build strong, healthy, connected families. Go to drjamesdobson.org. Sign up today. That's drjamesdobson.org.

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