

Response To Attorney General Elect Douglas Moylan's to Dissolve The Over 30-Year Old Injunction of The Law Banning All Abortions & A Respectful Request to Place The Guam HEARTBEAT ACT OF 2022 ON NEXT MONTH'S LEGISLATIVE AGENDA

Good Afternoon:

Some of you have called me and some of you have texted me for a response to Attorney General Elect Moylan's decision. I felt it was important to insure accuracy and transparency to all of you and all members of our community to provide this prepared statement, especially since it appears our people are not aware there are serious consequences no vote ever occurred on Bill 29-36 titled The Guam Heartbeat Act of 2022 ("Guam Heartbeat Act").

I would like to first applaud Attorney General Elect Moylan's courageous decision. His decision will result in abiding with mandates of the United States Constitution affirmed by the United States Supreme Court. His decision will simultaneously protect the lives of thousands of Guamanian unborn voiceless babies unable to speak for their own individual right to live.

Only two months ago, an Arizona County Judge lifted a 50-year-old ban on a 19th Century law banning nearly all abortions in the state of Arizona. This particular case was lead by the Attorney General of Arizona which is similar to legal proceedings previously initiated by Attorney Generals in other states.

Our Attorney General Elect knows very well the separation of powers the Organic Act requires within our system of government. Three different branches with three different powers. Our Elected Attorney General knows he does not have the Organic Act Authority to enact laws and has not even suggested doing so.

The Guam Heartbeat Act was drafted after nearly a year of research and consultations not just on Guam but with various individuals, experts and attorneys in the state of Texas. The Guam heartbeat Act was never simply a copy of the Texas Heartbeat Act which went into effect on December 2, 2021. The Texas Heartbeat Act started as a grassroots initiative in a small town in Texas where investors wanted to build an abortion clinic.

The Texas attorney that wrote the Texas Heartbeat Act spent over five years trying to write a law that would substantially mitigate abortions while making it impossible for any court to decide it was unconstitutional. He started testing what he had written at a grassroots level in a small towns where private investors wanted to build an abortion clinic. After years of work, Texas governor Greg Abbot then signed the Texas Heartbeat Act on May 19, 2021 which became effective on September 1, 2021.

As of January 1, 2022 credible data supports that over 10,000 babies lives were saved thanks to

the Texas Heartbeat Act. And in over fifty court challenges initiated by over 1,000 organizations and individuals: Not one State Court, Not one United States Circuit Court and Not Once has the Supreme Court of the United States ever stricken any of the provisions of the Texas Heart Beat Act and never found the Texas Heartbeat Act to be unconstitutional.

We all know the Supreme Court of the United States overturned Roe vs Wade on June 24, 2022. Even President Biden lost every single time he challenged that decision. And it has been highly published and broadcasted nationally and globally that after all of President Biden's loses in courts. together with the likes of United States House of Representative's Speaker Nancy Pelosi, they made several political attempts to federally codify Roe vs Wade. They failed every single time. This should tell us something.

In all the months I spent in drafting the Guam Heart Act, there was never any discussion or intent to have any woman even remotely face the possibility of facing criminal charges if she made the decision to have an abortion. My own personal convictions would never support a woman having an abortion face criminal prosecution. There was also never any discussion or intent to expose anyone that aided or abetted the performing of an abortion to face criminal charges. HOWEVER, that is not the case under the late Senator Elizabeth Arriola's law.

Like the grassroots effort in Texas, I have always felt that our people and not government should make their own decisions when it comes to issues of abortion. We live in a community of people with different ethic backgrounds, different cultures, different religious belief, that live from poverty to wealth, have different political views and all have different life experiences. We are a community of bright and intelligent people. This is the reason I feel the people should be the leaders in decisions relative to abortions.

I close by respectfully requesting the Guam Heartbeat Act be considered emergent because of the serious consequences to our people and be placed on the legislative agenda for next month.

Thank you very much,

Respectfully,

Peter

Attorney-at-Law

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