



July 31, 2015

Via Email and U.S. Mail

Honorable John Hickenlooper
Governor, State of Colorado
c/o Attorney General Cynthia S. Coffman (cynthia.honssinger@state.co.us)
136 Colorado State Capitol
200 E. Colfax Avenue
Denver, CO 80203

Honorable Bill Cadman (bill.cadman.senate@state.co.us)
President, Colorado State Senate
200 E. Colfax Avenue
Denver, CO 80203

Honorable Dickey Lee Hullinghorst (dl.hullinghorst.house@state.co.us)
Speaker of the House
Colorado House of Representatives
200 E. Colfax Avenue
Denver, CO 80203

Re: Request to Defund Rocky Mountain Planned Parenthood, Inc.

Dear Governor Hickenlooper, President Cadman, and Speaker Hullinghorst:

Alliance Defending Freedom represents Colorado Family Action. On behalf of Colorado Family Action, we respectfully request that you take immediate action to end all payments of Colorado state taxpayer dollars to Rocky Mountain Planned Parenthood, Inc., also known as Planned Parenthood of the Rocky Mountains (“Planned Parenthood”).

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Greenwood Village, CO 80111
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We are quite sure you are well-aware of the shocking undercover videos released by Center for Medical Progress (“CMP”) including the video released on Thursday, July 30, which depicts Denver-based Planned Parenthood vice president and medical director-abortionist Dr. Savita Ginde haggling with CMP representatives over the prices to be paid for aborted baby organs as a Planned Parenthood technician is shown picking over the hearts, lungs, livers, brains, and limbs of aborted babies.

Coloradans, indeed all Americans, are rightly shocked and offended by the disclosure of these barbaric practices. Gruesome talk about how to use a “less crunchy” method of obtaining a “product of conception” (*i.e.*, the organs of an aborted baby) so as to preserve and sell hearts and lungs intact are outrageous and not consistent with the values of America and Colorado.

We have now seen three different Planned Parenthood doctors involved in profiteering from aborted baby parts. Planned Parenthood does not deny the truth of the facts depicted in these videos. Rather, Planned Parenthood seeks to distract the American public in order to avoid addressing the brutal reality these videos reveal. Planned Parenthood and its political allies challenge the motives of the journalists who have disclosed these gruesome practices and, through the courts and with the support of President Obama and officials of his Administration, seek to shut down CMP’s efforts to disclose even more of this abortion giant’s abhorrent practices.

The Planned Parenthood video released on Thursday, July 30, includes an admission from Planned Parenthood’s Dr. Savita Ginde that she performs three to seven second trimester D&E abortions a day and that these aborted infants are sometimes delivered “intact.” Dr. Ginde adds, however, that less than 10% of the babies she aborts are intact after the abortion. Presumably, as other Planned Parenthood representatives have admitted on earlier videos, she believes it is possible that she can abort more “intact” babies so as to profit even more from the sale of these babies’ organs.

It is not known how many of these infants are actually alive at the time of the abortion. In fact, many babies in the second trimester have reached medical viability and could survive outside the womb.

As you perhaps know, in addition to Colorado state taxpayer dollars paid to Planned Parenthood, Planned Parenthood affiliates, under the umbrella of Planned Parenthood Federation of America, receive over \$500 million in federal taxpayer dollars each year. All the while, Planned Parenthood is under constant and increasing suspicion of wrongdoing and illegal activity, including claims of healthcare fraud, failure to report sexual abuse of young girls by adult predators, and opposition to common sense health and safety regulations.

What this all demonstrates is that Planned Parenthood does not care about women. It cares about money and its bottom line profits. Not one more penny from Americans’

paychecks should go to Planned Parenthood at this time. That is also true of Colorado taxpayer dollars. Colorado taxpayer support of Planned Parenthood must stop now.

The claim that women will be without essential healthcare services is simply false as was learned by the Owens Administration when, as described below, it defunded Planned Parenthood in 2002. There are plenty of quality healthcare organizations that provide non-abortion family planning services to women in need, including health centers, hospitals, pregnancy resource centers, and groups like Online for Life.

Request of Governor Hickenlooper

As you know, Colorado's constitution provides, in Article V, § 50, that "[n]o public funds shall be used by the State of Colorado, its agencies or political subdivisions to pay or otherwise reimburse, *either directly or indirectly*, any person, agency or facility for the performance of any induced abortion." (emphasis added).

Litigation challenging the payment by Colorado agencies of state taxpayer dollars to Planned Parenthood is currently pending before the Colorado Court of Appeals.¹ This litigation alleges that, from 2009 to date, more than \$14 million in state taxpayer dollars have been paid to Planned Parenthood by Colorado agencies. This litigation further alleges that Planned Parenthood and its abortion-performing affiliate Rocky Mountain Services Corporation are so interconnected that, because money is fungible, payments of State taxpayer dollars to Planned Parenthood amount to payments of State taxpayer dollars to Planned Parenthood's abortion affiliate in violation of Colorado's constitution.

As you will recall, in 2002, the Owens Administration determined that payments of state taxpayer dollars to Planned Parenthood amounted to payments of state taxpayer dollars to Planned Parenthood's abortion affiliate in violation of Colorado's constitution. When Planned Parenthood refused to separate its activities from those of its abortion affiliate, the Owens Administration, by executive action by the Executive Director of the Colorado Department of Public Health and Environment, defunded Planned Parenthood. Thereafter, until about 2007, Planned Parenthood did not receive any State taxpayer dollars.

Apparently as a political favor for a valued ally, in 2007, then-Governor Ritter renewed payment of state taxpayer dollars to Planned Parenthood. This policy has continued under your Administration. Moreover, your Attorney General is defending your Administration's policies that violate the Colorado constitution.

¹ *Norton v. Hickenlooper, Rocky Mountain Planned Parenthood, Inc., et al.*, Colorado Court of Appeals, Case No. 2014CA1816. Because of this litigation and to avoid any possibility of an ethical impropriety, this letter to the Governor is being directed to the Governor's counsel in this litigation, the Attorney General of the State of Colorado, with the expectation that it will be delivered by the Attorney General to the Governor.

Without regard to any political favors deemed due to Planned Parenthood, Colorado should join the eleven states that have to date acted to defund Planned Parenthood.

On behalf of Colorado Family Action, Alliance Defending Freedom respectfully requests that you and your Administration abide by Colorado's constitution, fulfill the will of the people of the State of Colorado, and cease all payments of State taxpayer dollars to Planned Parenthood.

Request of President Cadman and Speaker Hulinghorst

For all the reasons set forth above, it is time for the Colorado General Assembly to put partisan politics aside and quit protecting Planned Parenthood under the ruse that doing so protects a woman's right to an abortion. No matter how one stands on the issue of abortion, under current law Planned Parenthood and its allies can finance and perform all the abortions it wants to perform. However, Americans and Coloradans should not be forced to pay a single penny of their hard-earned dollars to support Planned Parenthood's massive abortion practice.

It is time for the Colorado General Assembly to launch oversight investigations into the practices of Planned Parenthood, including those practices disclosed in the CMP videos concerning the Colorado-based Planned Parenthood abortion facility, reportedly one of the largest abortion mills in the United States.

In addition to the issues set forth above, Colorado General Assembly Interim Committees should be immediately formed and charged with the duty to investigate, among many other serious questions, the following:

1. For how many years has Planned Parenthood been engaged in the harvesting of hearts, lungs, livers, brains, and limbs of aborted babies and the transfer of these harvested organs to others?
2. What prices or fees are collected by Planned Parenthood for the transfer to entities like Colorado State University of the hearts, lungs, livers, brains, and limbs of aborted babies?
3. What costs are incurred by Planned Parenthood in the harvesting of the hearts, lungs, livers, brains, and limbs of aborted babies?
4. To which organizations or entities, other than Colorado State University, does Planned Parenthood transfer harvested hearts, lungs, livers, brains, and limbs of aborted babies?
5. Are Planned Parenthood's practices in harvesting the hearts, lungs, livers, brains, and limbs of aborted babies consistent with Colorado law and, in particular, C.R.S. § 25-2-111.5, enacted in 2000, which specifically prohibits the purchase of aborted baby tissue from induced terminations of pregnancies?

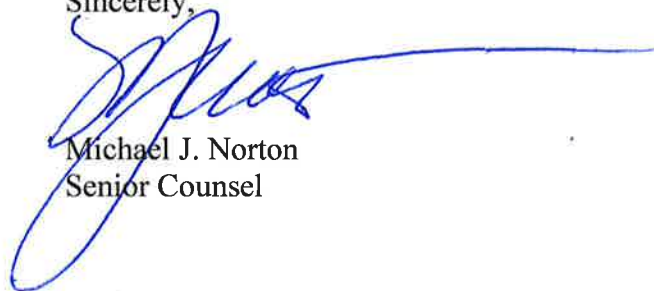
ALLIANCE DEFENDING FREEDOM

6. Has Planned Parenthood obtained full, appropriate informed consent from the mother of the unborn baby to harvest and sell the hearts, lungs, livers, brains, and limbs of aborted babies?

Coloradans, indeed all Americans, deserve the truth. On behalf of Colorado Family Action, Alliance Defending Freedom urges you to defund Planned Parenthood.

We look forward to your response at your earliest opportunity. If you have questions or wish to discuss this matter with us, do not hesitate to contact me.

Sincerely,



Michael J. Norton
Senior Counsel

cc: Client