

To Interested Parties:

As elected Michigan Prosecutors sworn to uphold the law, we believe it essential that statements made about the law be truthful. **As prosecutors we daily analyze and apply the Michigan Constitution, statutes, and case law to real life situations.**

Allow us to weigh in on two important aspects of this disturbing Proposal 3---A major erosion of parental consent rights and disturbing roadblocks when it comes to prosecuting statutory rape.

**A. EXPECT PROP 3 TO ELIMINATE PARENTAL CONSENT**

Of extreme concern, some are saying that **Proposal 3** would not erode parental consent.

*We find such claims to be simply wrong.*

**The proposed amendment to Michigan's Constitution:**

Creates new sexuality rights based on "reproductive freedom" – elevated over all other fundamental constitutional rights like freedom of speech, the freedom to exercise one's religious conscience, and the fundamental right of parents to control and direct the upbringing of their children.

**As result of the proposed amendment to Michigan's Constitution:**

Expect a minor child to be able to have an abortion without the knowledge or consent of the child's parents.

Because of the all-encompassing exceptions, we, as Chief Law Enforcement Officials who daily apply law and statute submit that the Proposal arguably guarantees the right of a child to procure an abortion at any time right up to the moment of birth.

*It is our analysis that those saying otherwise are wrong.*

**As a result of the proposed amendment to Michigan's Constitution:**

Expect that to see a considerable erosion of a parent's rights in directing their children's upbringing and education (MCL 38.10), including the area of sex education (MCL 380.1507, 1507b).

Expect public schools to legally refuse to inform parents on issues relating to "reproductive freedom" and sexuality.

Expect prohibitions on parents excusing their children from sex education classes (MCL 380.1507a)--- because minors now hold a fundamental right to "reproductive freedom" separate and distinct from his/her parents.

*It is our analysis that those saying otherwise are wrong.*

**As a result of the proposed amendment to Michigan's Constitution:**

Expect a minor child to be able to procure a sex change via permanent and irreversible sterilization without the knowledge or consent of the child's parents.

*It is our analysis that those saying otherwise are wrong.*

## **B. EXPECT PROP 3 TO MAKE IT FAR TOUGHER TO PROSECUTE CHILD SEXUAL PREDATORS**

The proposed amendment arguably invalidates age of consent laws (relating to “reproductive freedom”) currently protecting minors. Disturbingly, no age limitation exists in Prop 3. The proposed amendment will, therefore, prevent prosecutors from enforcing criminal statutes against statutory rape, child sexual abuse (MCL 750.520), female genital mutilation (MCL 750.136), and other similar statutes if the child “consents.” In other words, sex between a 12-year-old girl and a 45-year-old man will now be protected as a new right, so long as the child “consents.” As written, the new “super right” makes it virtually impossible to enforce or enact a statute prohibiting certain sexual activity, including pedophilia as long as the child “consents”.

In sum, as elected Michigan Prosecutors who are sworn to uphold the law, we believe it is important that statements about the law be reasonable, accurate and truthful. Corporately, we have been interpreting and applying Michigan statute and Constitution for well over a century. It is our opinion, based on many decades of hands-on analysis and application of the law, that Prop 3 can be expected to eliminate large swaths of parental consent as well as make it far more difficult to protect children and prosecute those who sexually prey on them.

We hope this letter provides assistance regarding this critically important issue for Michigan voters and the future of our state.

Sincerely,

Chris Becker, Kent County Prosecutor  
Neal Brady, Hillsdale County Prosecutor  
Victor Fitz, Cass County Prosecutor  
Joe Hubbell, Leelanau County Prosecutor  
Jerry Jarzynka, Jackson County Prosecutor  
Andrea Krause, Montcalm County Prosecutor  
Dave Marvin, St. Joseph County Prosecutor  
John Miller, Lapeer County Prosecutor  
Lisa Richards, Dickinson County Prosecutor  
Jim Rossiter, Antrim County Prosecutor  
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