



BRAD LITTLE
GOVERNOR

March 23, 2022

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate
Hand Delivered

Dear Madam President,

I hereby advise you that I have signed on March 23, 2022, and transmitted to the Office of the Secretary of State, with my approval, the following Senate Bills, to wit:

SENATE BILL 1309
SENATE BILL 1358

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 1:46 p.m. on March 17, 2022.

I stand in solidarity with all Idahoans who seek to protect the lives of preborn babies. That is why I signed into law last year the Fetal Heartbeat Preborn Child Protection Act, the very act this legislation now seeks to amend. It is also why I joined other pro-life governors last summer in an amicus brief requesting the U.S. Supreme Court overturn *Roe v. Wade* and *Planned Parenthood v. Casey*. I firmly believe those decisions were incorrectly decided and that federalism mandates the regulation of abortion be returned to the states.

Yet, until our nation's highest court invalidates *Roe* and *Casey*, those rulings remain the law of the land and inseparable from the very Constitution I swore an oath to uphold. While I support the pro-life policy in this legislation, I fear the novel civil enforcement mechanism will in short order be proven both unconstitutional and unwise. Deputizing private citizens to levy hefty monetary fines on the exercise of a disfavored but judicially recognized constitutional right for the purpose of evading court review undermines our constitutional form of government and weakens our collective liberties. None of the rights we treasure are off limits. How long before California, New York, and other states hostile to the First and Second Amendments use the same method to target our religious freedoms and right to bear arms?

I also have significant concerns with the unintended consequences this legislation will have on victims of sexual assault. I appreciate the exception provided for victims of rape and incest, but the challenges and delays inherent in obtaining the requisite police report render the exception meaningless for many. I am particularly concerned for those vulnerable women and children who lack the capacity or familial support to report incest and sexual assault. Ultimately, this legislation risks retraumatizing victims by affording monetary incentives to wrongdoers and family members of rapists.

I remain committed to protecting the lives of preborn babies and strongly encourage the legislature to promptly rectify any unintended consequences with this legislation to ensure the state sufficiently protects the interests of victims of sexual assault.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brad Little", written in a cursive style.

Brad Little
Governor of Idaho