

**Page:**

**Revision:**

Cover page

Change: Whether Olympus’s “REAP WHAT YOU SOW Act” violates the Free Exercise Clause of the First Amendment to the United States Constitution, including whether *Employment Division, Department of Human Resources of Oregon v. Smith* should be revisited?

TO

Whether Olympus’s “REAP WHAT YOU SOW Act” as applied to Respondent violates the Free Exercise Clause of the First Amendment to the United States Constitution, including whether *Employment Division, Department of Human Resources of Oregon v. Smith* should be revisited?

2

Remove:

“An exception to the ban on contraception for voluntary sterilization.”

2

Change: “The RWYSA specified a number of exceptions, including:”

TO

“The RWYSA included exceptions for persons who cannot use condoms for medical reasons or other physical reasons. The birth control that can be obtained under this exception can only be obtained with a prescription from a specially state-licensed physician and from a public, state-run hospital. Private pharmacies and hospitals are specifically forbidden to provide birth control other than condoms. Only physicians can provide instructions on how to use non-condom birth control.”

2

Change: “In enacting the REAP WHAT YOU SOW Act, Olympus became the first state since the 1960s to ban temporary methods of birth control. Similar total bans have been introduced to state legislatures in ten other states, while five additional states have introduced less expansive bans.[FN 1] Five of the proposed total bans would be in the form of amendments to state constitutions.”

To

“The RWYSA does not ban all birth control. In enacting the RWYSA, Olympus became the first state since the 1960s to ban most temporary methods of birth control. Total bans have been introduced to state legislatures in ten states, while five states have introduced less expansive

laws.<sup>1</sup> Five of the proposed total bans would be in the form of amendments to state constitutions.”

2 Change: “Mindy Vo, a resident of Olympus City, Olympus, owns and operates a pharmacy. In this capacity she distributes birth control and advises customers about how to use birth control. Ms. Vo, who is married, has been pregnant in the past. The first two pregnancies ended in miscarriages. During the third, Ms. Vo developed preeclampsia and underwent an emergency cesarian. Unfortunately, the baby did not survive due to loss of oxygen.”

To

“Mindy Vo, a resident of Olympus, owns and operates a pharmacy. In this capacity she distributes birth control and advises customers about how to use birth control. Ms. Vo, who is married, has been pregnant in the past. The first two pregnancies ended in miscarriages. During the third, Ms. Vo developed preeclampsia and underwent an emergency cesarian. Unfortunately, the baby did not survive due to loss of oxygen. Ms. Vo does not qualify for any exceptions under the RWYSA.”

2 Add “a minority religion”

3 Add “which is legal in Olympus”

3 Add “The customers did not qualify for any exceptions under the RWYSA.”

3 Add “William DeNolf, the State Attorney General, and a candidate for governor in 2024, took the unusual step of prosecuting the case himself.”

5 Change: “Oral contraceptives provide no protection against STIs.”

TO

“Oral contraceptives and sterilization provide no protection against STIs.”

6 Add to Footnote 9: “Most insurance plans pay for female condoms. Free male condoms are available in Olympus from several sources including public and private health clinics or family planning centers.”

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<sup>1</sup> 2 of these 15 states where bans on contraception are being considered would not allow for voluntary sterilization except in cases of medical emergency.

- 8 Change: “New York amended the state’s code to provide the exact privacy right that Roberson had sought.”
- To
- “In 1903, New York amended the state’s code to provide the exact privacy right that Roberson had sought.”
- 10 Add “and (5) save public money.” It should now read “At trial, the state argued that the law would: (1) promote morality, (2) protect the health of men and women alike, (3) promote a culture of life, (4) encourage men to take responsibility for their actions regardless of the nature of the relationship in question, and (5) save public money.”
- 16 Change “speculative” to “subjective”
- 19 Correct a citation error. It should now read *Lawrence v. Texas*, 539 U.S. 558 (2003).