



CONCERNED WOMEN *for* AMERICA OF SOUTH DAKOTA

FALL 2026

GENERAL ELECTION *Be Informed*

"You are the light of the world. A city on a hill cannot be hidden." Matthew 5:14

South Dakota voters will decide four ballot questions on November 3, Election Day. All four questions would amend our South Dakota Constitution. Such Amendments can be proposed by the citizens' petition process or by majority vote of the legislature, as all the following have been:

CONSTITUTIONAL AMENDMENT L

Title: An Amendment of the South Dakota Constitution Requiring that a Proposed Constitutional Amendment or Revision Receive an Affirmative Vote of Sixty Percent of the Votes Cast.

Currently, any proposed amendment or revision to our State Constitution requires a simple majority vote of the people.

A YES VOTE ON AMENDMENT L would raise the threshold from 50% to 60% of the votes for future amendments. Because our Constitution defines our government's structure and outlines our rights as citizens, it should be difficult to change. Conversely, the legislature deals with policy. Proponents of Amendment L believe out-of-state political action committees should not bring the latest ideological notions to South Dakota, such as marijuana or "abortion rights." A YES vote would make it more difficult to amend our State Constitution.

A NO VOTE TO AMENDMENT L would keep the threshold at 50% to amend our constitution. Opponents of Amendment L point to past attempts in 2018 and 2022 when voters rejected raising the threshold. Opponents say that passage would remove citizens' ability to hold politicians accountable, citing the "majority rules" principle.



CONSTITUTIONAL AMENDMENT K

Title: An Amendment to the South Dakota Constitution Establishing the Trust for Unclaimed Property Fund.

A YES VOTE ON AMENDMENT K would protect unclaimed property dollars in a permanent trust fund that would earn interest for the state's public services. Unclaimed property includes money orders, traveler's checks, bank deposits, refunds, stocks, etc. If the owner of such property appears to claim it, it would still exist to be paid in full.

A NO VOTE will leave these unclaimed property funds in a low-interest fund.

CONSTITUTIONAL AMENDMENT J

Title: An Amendment to the South Dakota Constitution Clarifying that an Individual Must Be a Citizen of the United States to be Eligible to Vote.

A YES VOTE ON AMENDMENT J would affirm that "[an] individual who is not a citizen of the United States is disqualified from voting in any election or upon any question submitted to the voters of this state." Article VII, Section 2 of our Constitution states who qualifies to vote in our state: age, residency, and United States citizenship. Mental incompetence or a felony conviction are disqualifiers. Amendment J would add non-United States citizens to the disqualified list.

The Mayday “Health” Saga Continues

“Let us not become weary in doing good, for at the proper time we will reap a harvest if we do not give up.” Galatians 6:9

The saga began late in 2025 when [Mayday Health](#), a group that advocates for chemical abortion, posted signs pointing pregnant women to their organization for information on how to obtain abortion pills for do-it-at-home abortions. Video ads such as “Pregnant? Don’t Want to Be?” were posted at South Dakota gas stations.

In response, Attorney General Jackley filed a circuit court motion on December 23, 2025, requesting that Mayday of New York be ordered to stop the deceptive advertising of the sale of abortion pills and services in South Dakota, noting that abortion is unlawful in our state. Mayday Health claimed the action violated its First Amendment right to free speech and filed a lawsuit in a federal court in New York City.

In February, Jackley defended our state laws in court, where a federal judge ruled that the case should be heard in South Dakota state court. At that time, a settlement was reached with both sides, and Mayday Health removed its misleading advertisements and promotion of abortion pills.

However, on May 29, Mayday Health and a former state legislator filed suit against Gov. Larry Rhoden (R) and AG Jackley in federal court, alleging that prohibiting First Amendment-protected advertising is unconstitutional. Also noted was [House Bill 1274](#), passed this year by the South Dakota Legislature, which makes it illegal to dispense any items for abortions and advertise any of those items. [South Dakota abortion law](#) prohibits abortion except “to prevent the death of a pregnant female.” A U.S. District Court ruled in favor of Mayday Health and issued a preliminary injunction stopping enforcement of HB 1274. Jackley appealed to the U.S. Eighth Circuit Court of Appeals, where the case now stands.



Jackley stated that “Immediate and irreparable injury, loss, or damage will result to South Dakota consumers who are misled by the deceptive advertisements,” and “This isn’t just deceptive advertising; it’s putting the health of women and young girls in danger.”

Recently, according to the [Daily Signal](#), Kentucky has joined in the fight against Mayday Health, claiming it is a violation of their state law prohibiting the advertising of illegal mail-order abortion pills. Mayday Health had an airplane fly over the Kentucky State Fair towing a banner, “Abortion Pills by Mail.” Gas station ads appeared, too. Mayday Health vows to defend their First Amendment right in court. “These out-of-state activists are not only breaking Kentucky law, but they also seem to delight in rubbing our faces in it,” Attorney General Coleman (R) said in a [public statement](#). “The State Fair is a beloved Kentucky tradition for families and children to celebrate our Commonwealth. We refuse to allow Mayday to taint our values and put our people at risk.”

STAY TUNED!

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A NO VOTE ON AMENDMENT J would extend an opportunity to challenge a person’s right to vote by questioning his/her citizenship and placing the burden of proof on that person.

CONSTITUTIONAL AMENDMENT I

Title: An Amendment to the South Dakota Constitution that Repeals Expanded Medicaid Coverage if Federal Funding for the Program Drops below 90%.

Voters approved Medicaid expansion in 2022 with the understanding that the Federal government would pay 90% and South Dakota would pay 10%. If the Federal government backs down and lowers its promised share, South Dakota would likely need a tax increase and/or service cutbacks to cover the deficit.

Medicaid provides medical coverage for low-income children, pregnant women, people with disabilities, and the elderly. That will not change.

A YES VOTE would let the legislature and voters decide whether to continue the expanded services if the federal government lowers its 90% share. The expanded services passed in 2022 apply to those with income at or below 133% of the federal poverty level.

A NO VOTE would allow the expanded Medicaid program to continue if the federal government lowers its promised share, thus providing continued insurance to about 30,000 low-income citizens.

For further information: [2026 Ballot Question Pamphlet](#) compiled by the Office of the Secretary of State.

The Criminal Prosecution of Post-Abortive Women Does Not Help the Fight to End Abortion

“For our struggle is not against flesh and blood, but against the rulers, against the authorities, against the powers of this dark world and against the spiritual forces of evil in the heavenly realms.” Ephesians 6:12

Concerned Women for America (CWA) knows that human life begins at conception, and that each unborn baby is an Image Bearer of God with a unique and unalienable right to life. We are working at all levels of public policy to end the violence of abortion, and our stated end goal is to grant the unborn their Constitutional right to equal protection under the 14th Amendment.

In working towards that goal, we oppose the criminal prosecution of post-abortive mothers. The passage of a state-level criminalization bill would not “abolish abortion” even at the state level, and such policies:

1. **will not end abortion nationally (they would only impede that effort),**
2. **would not address the mail-order abortion drug crisis,**
3. **risk throwing innocent, coerced, trafficked or abused women into courtrooms for trial,**
4. **lack compassionate understanding of the complexity of the abortion issue, lack holistic efforts to support mothers, fathers, and families,**
5. **would not prosecute the men who impregnated the women,**
6. **would be practically unenforceable,**
7. **would make women fearful of seeking miscarriage care.**

Instead, CWA seeks to criminalize abortionists and abortion drug manufacturers, remove the abortion drug from the national market, defund the Big Abortion enterprise, and advance holistic efforts in culture and law that encourage women and families to choose life. We want to make abortion unthinkable.

National pro-life political strategy is not only a matter of boldness and conviction, but of far-sighted stewardship, discretion, discernment, steadfastness, flexibility, and caution. CWA is convinced that criminalization policies risk setting us back—and divide us in our efforts to achieve equal protection for the unborn. The anti-life side has for years blamed we pro-lifers for caring only about the “fetus” and not the woman. In reality, we have always cared about both. Christ’s example of both compassion and justice informs our approach to abortion, justice for the unborn, and how we approach their mothers.

We remember Jesus and the woman caught in adultery. The woman had sinned, and men surrounded her with stones. But Jesus calmly instructed them. “Let him who is without sin among you be the first to throw a stone at her.” One by one the men dropped their stones. Only Jesus remained. Instead of stoning her, He did not condemn her; rather, He instructed her to “Go now and leave your life of sin.” -John 8:11

The abortion drug is now responsible for over 63% of abortions in direct contravention of state laws that ban abortions, like South Dakota. The floodgates opened when President Biden’s Food and Drug Administration (FDA) gutted in-person dispensing requirements and other restrictions for the abortion drug under the guise of the COVID pandemic. Sadly, President Trump’s FDA has not reinstated those requirements, leaving pro-life states to deal with what to do about an onslaught of mail-order abortion drugs.

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If You See Something, Say Something

“Rescue the weak and the needy; deliver them from the hand of the wicked.” Psalm 82:4

The Sturgis Motorcycle Rally is a great annual South Dakota event bringing many good motorcycle enthusiasts. Sadly, it also brings some who come for nefarious reasons. I, along with many others, volunteer with the West River Human Trafficking Task Force, working to stop this scourge on women. Volunteers help post literature in businesses, campgrounds, salons, gas stations, and other places in the Black Hills. These materials informed attendees and businesspeople what to watch for and who to call if they saw, heard, or suspected someone being trafficked. We provide a South Dakota toll-free number for people to call, as well as 211, if they suspect someone is being trafficked or for a victim herself to call. We hand out chap sticks labeled with those numbers to call.

Every year, South Dakota’s Internet Crimes Against Children (ICAC) and the Attorney General’s office do an undercover sting operation. Agents pose online as minors or as traffickers offering children for sex.

ICAC announced six arrests on August 17, according to keloland.com. Six men who were arrested face state charges of solicitation of a minor and/or first-degree human trafficking (plus related attempted rape counts in two cases). The Attorney General’s office and the Pennington County State’s Attorney are prosecuting all of them. Two men also face possible federal immigration proceedings.

We appreciate everyone’s diligence regarding this sad situation. If you do see something, say something.

Lisa Gennaro, Legislative Liaison, CWA of South Dakota

Outstanding Legislative Liaison of the Year Award Goes to LISA GENNARO!

The Outstanding Legislative Liaison Award is presented every year by Concerned Women for America's national organization. This award recognizes someone who has demonstrated an extraordinary commitment to engaging in the legislative process and ensuring that Biblical principles and Constitutional rights have a voice where decisions are being made.

Lisa has gone beyond simply showing up at the State Capitol. She has invested in lawmakers, equipped them with knowledge, and stepped into difficult issues where strong, informed advocacy was needed—particularly when the well-being and safety of children were at stake.

State Representative Terri Jorgenson of South Dakota shares this with us about the recipient: "Her integrity, faithfulness, and depth of knowledge equip me and my colleagues to advance Biblical principles and defend constitutional rights. Her expertise has helped craft common-sense legislation, and I have personally benefited from her training on human trafficking protections and internet safety."

Her State Director adds: "She is not only a friend, but a faithful legislative liaison and a shining representative of CWA. She drives four hours every week to represent CWA principles during the legislative session. I can always count on her to bring thoughtful ideas, sound judgment, and a steadfast commitment to the values we are fighting to protect."



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PITFALLS OF THE ABOLITIONIST APPROACH

Abolition bills energize and provide the abortion lobby free messaging fodder, e.g., "Pro-lifers want the death penalty for abortive women."

1. **Criminalization lacks compassion and fails to consider the complexity of the issue at the human level.** While some women are complicit in aborting their children, many are deceived through coercion, misinformation, and abuse. Such policies deter women from seeking help—medical, physical, mental, or spiritual—following an abortion. They may be prevented from pursuing abortion-pill reversal.
2. **Criminalization is not practically enforceable.** Miscarriage and drug-induced abortion are nearly medically indistinguishable. Families experiencing the heartbreak of miscarriage could be investigated.
3. **State criminalization bills will not address or change the regulatory and interstate commerce lapses that allow the abortion drug to flow into pro-life states.**

PRO-LIFE STRATEGY

1. **Detail orientation: In Washington, D.C., pro-life groups like CWA have our eyes on abortion in every single area of law and federal statute—the National Defense Authorization Act, annual**

appropriation bills, State Department foreign aid programs, and federal agency health insurance programs. Securing the national web portal, ([Moms.gov](https://www.moms.gov) or [sd.gov/life](https://www.sd.gov/life)) gives mothers all the resources they need to choose life.

2. **Flexibility and Creativity: CWALAC recently endorsed Students for Life Action's "Clean Water for All Life Act," addressing the impact of the abortion drug's impact on American drinking water and the horrors of 50 tons of aborted babies' bodies flushed into our waterways.**
3. **The Abortion Drug: Enforcing the [Comstock Act](#) which prohibits interstate shipments of abortifacients by mail. Reinstating in-person requirements would rein in mail-order drug trafficking.**
4. **Holistic strategy supports mothers, fathers, and families through pregnancy resource centers, foster and adoption programs, pro-family policy, and traditional marriage.**

Whether to pursue the pro-life or abolitionist approach is a conversation at the heart of a very moral, Christian, life-and-death issue. As we debate, though, we should step back and acknowledge that our disagreements are fundamentally strategic—pro-lifers and abolitionists agree that abortion must be completely and totally ended, that all human life from the moment of conception is valuable, and that faith in Jesus Christ necessitates opposition to abortion.

CWA Membership State & National: A donation of \$25 or more has TWO benefits: membership in CWA of South Dakota and membership in CWA national. All donations given to CWA of South Dakota remain in South Dakota for state projects. Write your check out to "Concerned Women for America," put "CWA of SD" on the memo line, and send in the envelope provided. Or, [GIVE ONLINE](#). Your renewed annual membership/additional donation is greatly appreciated. All donations sent to CWA national in response to their mailings are utilized in Washington, D.C. All contributions are tax-deductible.

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