

# The RHEA Unconstitutional Compared to Roe vs. Wade By Legal Aid Marla Benavides

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COLORADO, USA, March 3, 2023 /EINPresswire.com/ -- As per the [Reproductive Health and Equity Act \(RHEA\)](#), abortion rights under state law are fundamental rights. However, in June this year, the Supreme Court overturned Roe vs. Wade and Casey in the Dobbs v. Jackson Women's Health Organization by stating that abortion is not a fundamental right per the Constitution's Fourteenth Amendment, thereby returning the power to regulate abortion to the people. According to homeschool educator with a paralegal background, Marla Benavides Roe vs. Wade was codified and that RHEA lacks essential elements of the landmark ruling, which makes it unconstitutional.

To unite Democrats in her district, divided and upset by the passage of this law, Ms. Benavides proposes the law should be repealed and a logical discussion under new leadership initiated.

Ms. Benavides was invited to provide her legal opinion on the constitutionality of [House Bill 22-1279](#), called RHEA. She believes her opponent, Meg Froelich, has little regard for the people she represents and has set an outrageous precedent with her behavior which compromises her ability to make sound laws.

Drawing reference to Roe v. Wade, which she believes, set a compelling point for a physician or provider in consultation with the patient to freely determine, without regulation by the state, that in their medical judgment, the patient's pregnancy should be terminated. According to Ms. Benavides, if that decision is made, the judgment may be effectuated by an abortion free of interference by the state. She, therefore, commends Roe for discussing the viability of the fetus and the state's interest as the baby develops.

Ms. Benavides also references the wide divergence of thinking on this issue and the U.N. Human Rights Committee's attempts to revise its General Comment on Article 6 to include support for abortions and even assisted suicide. This is historical as it appears before the Supreme Court overturning of Roe and Casey, including that RHEA brought more than 300 people to testify against the Representative Froelich Act. According to Ms. Benavides, this proves an overwhelming majority do not support abortion.

When asked for elaboration on her stance, Ms. Benavides shared, "The Democrats' efforts to protect abortion show they are grossly incompetent in using reasoning and sound logic to make laws. The law passed with all 41 Democrats voting in unison and all 24 Republicans voting

against it. I believe that Representative Meg Froelich is uninterested in protecting fetal life during that period or women's health in general."

"Our life begins in the womb and as per the Constitution, the state cannot deprive any individual's life, liberty and property without equal protection. According to the legal definition of genocide as per American law is any act to destroy in whole and in part, a national, ethnic and religious group. This includes imposing measures that prevent births within a specific group, killing its members, imposing measures that are meant to prevent births in the group, causing serious mental or bodily harm to the group and deliberately inflicting on the group conditions of life calculated to bring about their physical destruction in whole or in part. Rep. Meg Froelich's law promotes genocide, not choice as it is meant to tick all of these boxes as it targets the black and Hispanic population."

"It is worse than the crime of aggression since it attacks civilization itself. Meg Froelich's law does not provide any safeguards which will eventually allow abortion to eat away at the American society like a cancer, eventually destroying institutions that prevent conflicts and encourage cooperation."

As per Ms. Benavides, abortion can't be proscribed if the state decides the term limits, except when it is necessary to protect the mother's health and life. Measured against these standards, she opines that the Colorado Abortion Act is one-sided in protecting providers and cannot survive the constitutional attack made upon it.

Therefore, the right to abortion is not protected under the Constitution's Fourteenth Amendment and, thus, cannot be justified as part of this right.

According to Ms. Benavides, it is not as universally accepted as Democrats believe, and the legislators' only option this January is to repeal RHEA and start over again, as abortion is not within the scope of the Fourteenth Amendment, and most Coloradans are pro-life.

#### About Marla Benavides

Ms. Marla Benavides has several years of experience as a legal assistant. She obtained her Masters of Law degree certificate in Environmental and Natural Resource law from law school and also has a paralegal studies certificate. Most of her paralegal experience is in personal injury law and immigration law. Her experience working with lawyers gave her keen insight into the country's legal framework. She can think like a lawyer.

Ms. Benavides likes to read law for fun in her spare time and is also a political activist. She did her civic duty and ran for office as a concerned Colorado citizen.

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