



October 17, 2024

Penguin Random House
Legal Department
Anke Steinecke
1745 Broadway
New York, NY 10019

By email to asteinecke@penguinrandomhouse.com.

Re: Cease and Desist Publication of False and/or Intentionally Deceptive Statements by Kristan Hawkins

Ms. Steinecke,

We write to you on behalf of Students for Life of America (“SFLA”) and Kristan Hawkins (“Hawkins”) regarding defamatory false quotes in a book published by you / your client. We demand that your client immediately undertake a fact check, issue an apology retraction, and pay damages and attorney fees for the defamation to Hawkins. Penguin Random House has published a book entitled *Abortion: Our Bodies, Their Lies, and the Truths we Use to Win* by author Jessica Valenti, which includes false, intentionally deceptive and defamatory statements. We demand that the book be pulled for a fact check, that you issue an apology retraction, and that you pay damages and attorney fees for the defamation to Hawkins.

SFLA is a national pro-life group that aims to recruit, train, and mobilize the Pro-Life Generation to abolish abortion through peaceful, lawful means. SFLA has grown to become one of the leading pro-life advocacy organizations in the world, driving the narrative for the entire movement and leading by example. Our reach and successes are recognized movement-wide. The organization is well-respected for its education on protecting the preborn and their mothers. Hawkins serves as founder and President and SFLA, and has been a leading voice for the preborn for decades.

Penguin Random House presented Hawkins’ words in Valenti’s latest book, *Abortion: Our Bodies, Their Lies, and the Truths we Use*, in a knowingly and intentionally deceptive manner. Penguin Random House has published this book and listed it on its website.¹ The book states:

Anti-abortion lawmakers and activists also claim that pregnancy after rape is rare — a claim designed to hide their utter cruelty, and to pivot when asked about abortion ban exceptions. Some even say that women can’t get pregnant from a rape at all. Students for Life

¹ <https://www.penguinrandomhouse.com/books/772254/abortion-by-jessica-valenti/hardcover/>



president Kristan Hawkins — who has been celebrated as the future of the anti-abortion movement — says that “sexual assault actually helps prevent a lot of pregnancies itself because of your body’s natural response.”

Abortion: Our Bodies, Their Lies, and the Truths we Use. This excerpt misrepresents Hawkins’ position and the pro-life position, changing the impression on the reader. Hawkins actually stated: “[t]he horror of the sexual assault actually helps prevent a lot of pregnancies itself because of your body’s natural response to the atrocity that has happened.”² The book quotes Hawkins, but first removes operative qualifier words from the quote in order to intentionally misconstrue her point, and then introduces it along with the claim that “[s]ome even say that women can’t get pregnant from a rape at all,” leaving the reader with an impression that Hawkins said something very different from what was said. This deception of the public amounts to defamation of Hawkins and SFLA.

Valenti cuts a sliver of a quote out of context to make a false and cruel accusation about the views of Hawkins, taken from the context of a detailed discussion about how to understand sexual assault and abortion. Penguin Random House has edited the book and allowed this defamatory misquote to remain. The quote was taken from an hour-long interview where Hawkins expressed that the atrocity of rape is horrific and something not to be addressed flippantly. In that interview, Hawkins talked with great compassion, noting some of the math of rape and abortion for context, including the love she has, along with the pro-life movement, for those conceived in rape. Their human worth is intrinsic to each person and not tied to the circumstances of conception. Yet Valenti pulled a statement out of context to intentionally misconstrue Hawkins’ position, misleading her readers and defaming Hawkins in the process.

The quoted remark includes acknowledgement of the horror an atrocity of rape, noting that it is this trauma that reduces the likelihood for the body to become pregnant. This has been acknowledged by the Mayo Clinic and reported by CNN. “Generally, a single act of a rape has about a 5% chance of resulting in pregnancy among victims aged 12 to 45 who are not on birth control, according to American Journal of Obstetrics & Gynecology (ACOG) figures.”³ The

² Boom Clap Podcast, *EP 109: Students for Life President Kristan Hawkins*. May 2023. https://open.spotify.com/episode/3t8eZdKxpBNwoKwjIqhvKL?si=28i8DYqeQ3-Dpx5qmy9hHQ&nd=1&dlsi=12a532d5acf14d55&_authfailed=1

³ Dellorto, Danielle. *Experts: Rape does not lower odds of pregnancy*. August 22, 2012. <https://www.cnn.com/2012/08/21/health/rape-pregnancy/index.html> (last accessed Oct. 15, 2024).



Guttmacher Institute has found that “[j]ust 1% of women obtain an abortion because they became pregnant through rape.”⁴

Hawkins and SFLA reject prejudice against people based on age, sex, race, stage of development, parental income, perception of abilities, or the events of conception. We reject shaming people for things out of their control and have urged legislatures to protect all lives in law, no matter the events of conception. While Penguin Random House says that the book “shines a light on the conservative assault on women’s freedom, cutting through the misinformation and overwhelm to inform, engage, and enrage,”⁵ it ignores the false information contained therein, allowing the author to deceive the public as it relates to the pro-life movement. Valenti falsifies pro-life views on horrific events. Whether for political advantage or to sell copies of her eighth book, there is no justification for the false statements and inaccurate quotes Penguin Random House allowed to remain in Valenti’s latest book.

Hawkins’ damages extend beyond the damage done by sales of the book. Penguin Random House and Valenti have been advertising the book, and many media outlets have included in their reporting this inaccurate and misleading quote from Hawkins.⁶

Causing Continuous Harm

As clearly stated in the law, “reputational harm caused . . . can constitute the deprivation of a cognizable liberty interest.”⁷ Here, multiple harms have resulted, including to Hawkins’ finances, reputation, and ability to conduct its business. It also has implications for the larger pro-life movement, as Penguin Random House is publishing false facts about a leading pro-life advocate.

The misquoting of Hawkins as it relates to rape and abortion has caused harm and continues to cause harm. It stigmatizes SFLA and Hawkins. It damages the reputation of the larger pro-life

⁴ Finer, Lawrence B. Finer; Frohwirth, Lori F.; Dauphinee, Lindsay A.; Singh, Susheela; and Moore, Ann M. *Reasons U.S. Women have Abortions: Quantitative and Qualitative Perspectives*. September 1, 2005. <https://www.guttmacher.org/journals/psrh/2005/reasons-us-women-have-abortions-quantitative-and-qualitative-perspectives> (last accessed Oct. 15, 2024).

⁵ <https://www.penguinrandomhouse.com/books/772254/abortion-by-jessica-valenti/hardcover/>

⁶ See Valenti, Jessica. *Abortion Exceptions Don’t Really Exist*. Rolling Stone. October 8 2024. <https://www.rollingstone.com/politics/political-commentary/abortion-exceptions-dont-exist-republicans-1235128145/>. (Last accessed Oct. 15, 2024).; and Valenti, Jessica. *Abortion Exceptions Don’t Really Exist*. Microsoft. <https://www.msn.com/en-us/news/us/abortion-exceptions-dont-really-exist/ar-AA1rU5iN?ocid=BingNewsSerp>. (Last accessed Oct. 15, 2024).

⁷ *Fikre v. Fed. Bureau of Investigation*, 35 F.4th 762, 776 (9th Cir. 2022), cert. granted, 144 S. Ct. 479, 216 L. Ed. 2d 1312 (2023), and *aff’d*, No. 22-1178, 2024 WL 1160994 (U.S. Mar. 19, 2024)(quoting *Hart v. Parks*, 450 F.3d 1059, 1069-70, 1069 (9th Cir. 2006)).



movement. We demand that you pull the book from publication, undergo a fact check, and re-issue the book with correct and accurate quotes. We further demand an apology and notice to media outlets that picked up on the misquote, as well as damages and fees.

Please contact our office within seven (7) days to communicate your intentions regarding these demands. If you choose not to comply, we will consider additional steps, up to and including legal action.

Sincerely,

A handwritten signature in blue ink, appearing to read "Zachary Kester".

Zachary Kester, JD, LLM
General Counsel