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CONNECTICUT NEWS

### Adoption Group Threatens Suit

■ Children First: Restore 'Life' License Plate

June 3, 2006

By JON LENDER, Courant Staff Writer

A pro-adoption foundation that sponsors special "Choose Life" license plates on Connecticut cars says that it will file a federal lawsuit against the state if officials do not reinstate the group's plates.

More than a week ago, the state Department of Motor Vehicles stopped issuing further "Choose Life" plates for The Children First Foundation, a New York-based pro-adoption group opposed to abortion, while it investigates with state Attorney Richard Blumenthal whether the group qualifies under DMV rules to be a sponsor of such plates. The DMV granted that status in 2003.

The foundation's co-founder and president, Elizabeth Rex, who consulted her group's lawyer this past week, said Friday that the group will file a suit in federal court if the DMV fails to reinstate her group's license plate sponsorship status.

Rex said the foundation would prefer not to file suit, and hopes the DMV will relent. She did not set a deadline.

The foundation has pending lawsuits in the other two states where it operates - New York and New Jersey, which have not authorized "Choose Life" plates. "Choose Life" tags started in Florida and have sparked litigation in various states, in a national First Amendment controversy. Rex's group is represented by the Alliance Defense Fund, which says its mission is "protecting family values," and opposing abortion and "attacks" by "the ACLU and other radical activist groups" on "the rights of Christians."

Rex said her group "should keep the plates while they do their investigation." She said she applied lawfully for the plates and repeatedly gave updated information to the DMV over three years, so it is wrong for the DMV to stop issuing the plates and remove the group's plate-application information from the department's website. "It's called due process. I haven't had an opportunity to respond."

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The situation arose May 25 when DMV Commissioner Ralph Carpenter agreed to a request from Blumenthal and a legislator to reconsider its approval of Rex's foundation for the special plates, which many groups use for fund-raising. Blumenthal and Rep. Roberta B. Willis, D-Salisbury, wrote May 24 to Carpenter that The Children First Foundation appears to have "negligible, if any, `operations' in Connecticut, much less a base of operations in this state."

Rex responded that the small group has used the 200 plates it has on the road to help raise money to give thousands each year to organizations such as adoption agencies that do not offer abortion as an alternative to unwanted pregnancies. She said its Connecticut base is the home of an advisory board member - Corinn Dahm of the Gales Ferry section of Ledyard - and that address is on file with the DMV. Its overall headquarters is Rex's Yonkers home, though its mailing address is at a post office in Eastchester, N.Y., where Rex used to live.

Willis said that the group should be "Connecticut-based" - "not a post office box, not somebody's dining room table."

Rex said the DMV's regulations provide that organizations can be "international" or "regional" - headquartered outside the state, so long as they have "a base of operations" here. Homes are not excluded as bases, she said.

Blumenthal said his office and the DMV are "planning to reach a conclusion in the very near future" but would not specify when.

He said other groups are under scrutiny, too. Asked why only Rex's plates are blocked during the inquiry, he cited "evidence" such as "absence of a significant [Connecticut] presence, at least on the facts known initially." Asked what constitutes a "significant presence," he said "part of what we're doing is examining the potential need for a more precise and clear" definition.

When Blumenthal and the DMV announced their action May 25, Rex produced a 2003 Blumenthal letter praising the group. Friday, Blumenthal said: "Whether I spoke positively of their activities or not is irrelevant to whether they meet the criteria for this license plate."

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