

MARCH 16, 2022

Reproductive Rights: Legislation, Advocacy, and Litigation

Presented by: LWVUS A+L Team & State Leagues

Agenda

Join us for an advocacy
adventure!

- Housekeeping, and Community norms
- Poll
- Texas League
- Arizona League
- Florida League
- Litigation
- Q&A

Housekeeping

- All trainings will be recorded to keep accurate notes to share with attendees and others after the call.
- If you are not speaking, please mute yourself to minimize sound issues.
- Make sure you identify yourself (name, League, State & pronouns) when asking questions
- **Staff will be monitoring the chat box.** If you have any questions or thoughts throughout the call, please feel free to drop them in the chat box.

Community Norms

! Bring your full self and limit distractions

💬 Use the chat box to add thoughts, experiences, and/or questions

🌱 What is learned here, leaves here

💬 No one knows everything, together we know a lot

🍷 Don't yuck my yum

🩹 Oops, ouch, and educate

😊 Assume best intentions

POLL

Abortion rights

Louise Hytken, Issue Chair for Women's Health
Texas League of Women Voters

March 16, 2022

lhytken@yahoo.com

What issue chairs in Texas do

- Prepare advocacy paper on their issue
- During legislative session
 - Follow bills introduced that impact their issue
 - Follow Legislative committee meetings during the regular session and the interim
 - Input alerts on certain bills, when it is moving to a hearing before a committee consider having LWV sign in favor or in opposition to a bill
- Prepare testimony and send to Advocacy chair



Advocate or lobby on the issue as appropriate.

- Update blog on website issue page periodically.
- Write an advocacy paper on the issue.
- Prepare testimony for legislative committee meetings. The Texas League provided testimony in opposition to several anti-abortion bills, including SB8 and the trigger bill.
 - Present approved testimony in person or request presentation by a member of the Capitol Corps. (presented in writing during the pandemic)
 - Work with other stakeholders engaged in the issue.



Texas SB8

- SB 8, the so-called heartbeat bill prohibits almost all abortions once a fetal heartbeat can be detected, which is usually at the 6th week of pregnancy and before many women even know that they are pregnant.
- It is important to understand that pregnancy is measured from the first day of a woman's last menstrual period and not from the date of conception.
- This law went into effect on September 1, 2021. The ban was challenged in court by abortion providers, but it was allowed to go into effect by the Fifth Circuit Court of Appeals and the U.S Supreme Court. The law is unusual as it is not enforced by the State of Texas, but instead by private citizens. This was intended to prevent the law from being challenged in the courts.
- As a result, the number of abortions in Texas has been dramatically reduced and women who need abortions have had to go out of state to obtain care. The ban was subsequently challenged in another lawsuit brought by the U.S. Justice Department, and the district court agreed that the law was unconstitutional and enjoined it from going into effect. Unfortunately, the Fifth Circuit overturned the lower court and allowed the ban to go into effect.
- More around the litigation of this bill will be discussed by LWVUS Litigation Team



The trigger ban

- Governor Abbott also signed **HB 1280, the "trigger ban,"** Under this law, abortion becomes illegal in Texas if the U.S. Supreme Court overturns *Roe v. Wade*.
- A SCOTUS decision in Dobbs could overturn Roe and abortion would be banned in Texas.

Other bad laws in Texas

- SB 4 limits medication abortion from 10 weeks to 7 weeks, further restricting the amount of time in which people will be able to access this option. The restrictions in SB 4 are in direct opposition to the FDA's guidelines on medication abortion. Signed into law September 17, 2021.
- SB 4 also prohibits mailing abortion medication. Many Texans live hundreds of miles from the nearest abortion provider, and the COVID-19 pandemic further revealed just how essential the ability to access medication by mail can be. This bill also requires abortion providers to report on any complications in subsequent pregnancies for patients who choose medication abortion.

Other bad Texas laws include sonogram requirements, waiting period, requiring women to listen to heartbeat, parental consent, fetal burial.



LWV



LEAGUE OF WOMEN VOTERS®
OF ARIZONA

Women's Issue Chair:
Alexis Lane



LWV Arizona: Legislative Update

- The Arizona legislature is one of the hot-beds for limiting reproductive freedom
- Several bills have been introduced this session, most prominent this session were
 - SB 1164: 15-Week Abortion Ban
 - Passed both the Senate and House committees, and we anticipate it being signed by Gov. Ducey
 - HB 2811: Making it illegal for doctors to prescribe abortion medication
 - Killed in committee
 - HB 2483: Bounty-Style bill, like in TX, no action.
- Strategies and Efforts on the Ground
 - Attended hearings
 - Submitted testimony
 - Worked with Coalitions (PPAZ, AZCOG, EquityAZ, Secular AZ)
 - Continue to grow membership base to make biggest grassroots impact possible (calls, emails, RTS to legislators)



Where does Arizona Stand?

- **Trigger-style State: Laws on the books pre-dating Roe that make abortions illegal**
- **“TRAP” Laws: Targeted Regulation of Abortion Providers- designed to make it too difficult to obtain an abortion and/or to provide one.**
 - medically unnecessary waiting period (24 hours)
 - admitting privileges requirement
 - medically unnecessary ultrasound
 - mandatory in-person counseling
- **New Wrinkles**
 - “Reason” bans (race, sex, disability)





LWV President: Cecile Scoon

Reproductive Rights Action Team:
Ginger Mundy and Stacey Kroto



New Legislative priorities of members catapulted reproductive rights to the forefront

- Became a separate issue from healthcare
- We joined in the support for reproductive rights more directly and aggressively.
- Wrote LTE
- Testified in Legislature
- Placed our logo on repro rights events





League Strike Force Early

Lobby

Days.

November '21



League joined in Vigils and watches



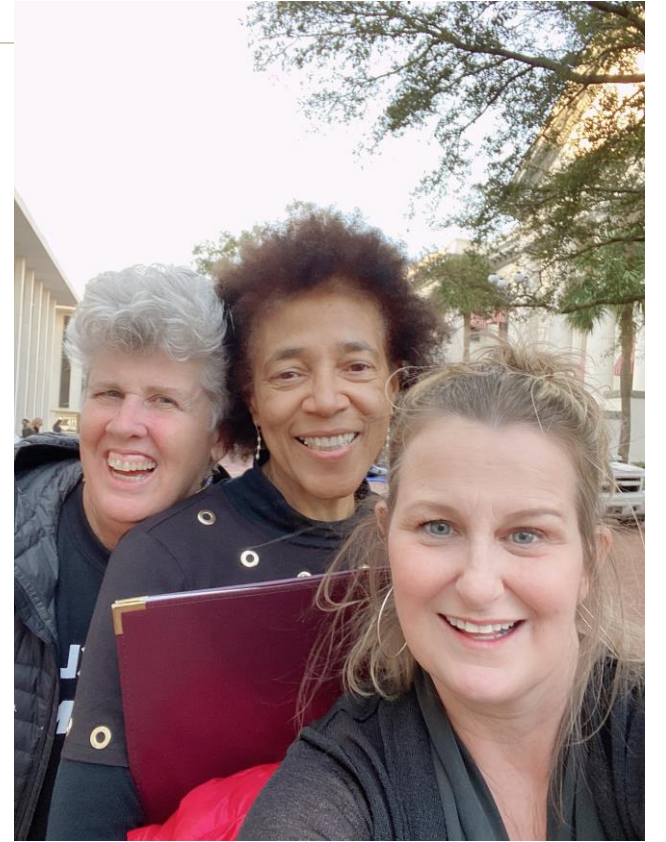
**CAPITOL VIGIL
FOR ABORTION
RIGHTS**

THURSDAY, MARCH 3RD, 7:00 PM
IN FRONT OF THE OLD CAPITOL, 400 S MONROE ST

  **LWV** LEAGUE OF WOMEN VOTERS
OF FLORIDA


ppfla.org/vigil







LEGISLATIVE ACTION IN FLORIDA

Initially a 6-week abortion ban was proposed. It was not well-received and went nowhere.

HB 5

After US SCt took up Miss, 15 week abortion ban, the Florida 15 week abortion ban gained strength. It passed with no exceptions for rape or incest.

What Now?

- Florida reproductive teams are in a wait and watch mode.
- Additional threats --Local ordinances pushed back in 2021
- Potential future threats

Reproductive Justice Litigation



Texas- *Whole Women's Health v Jackson*

- Amicus brief that was filed on October 27th
- Case against Texas SB8 which puts a bounty on any person who helps someone who gets an abortion after six weeks
- Our brief argues that this type of enforcement scheme will present an immense threat not just to reproductive justice but to other civil rights

Mississippi- *Dobbs v Jackson Women's Health*

- Amicus brief was filed on September 20th.
- Mississippi's 15 week ban on abortion
- Our brief focuses on how overturning abortion precedent would create serious healthcare inequities for women who have relied on them.

Questions