

January 25th, 2024

LWVUS Advocacy Presents:

Where are Reproductive Rights Post-*Dobbs*?

A look a year and a half later

Presenters



Jessica Jones Capparell
Director of Government Affairs
(she/her)
JJonescapparell@lww.org



Rebecca Goldman
*Justice Reform Legislative &
Policy Specialist*
(she/her)
rgoldman@lww.org

Agenda

- Poll
- Federal Legislative Landscape
- State Legislative Landscape
- Advocacy Actions and Resources
- 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



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

Federal Legislative Landscape

The Constitutional Right to Abortion

Precedent

- [Roe v. Wade](#) (1973)
- *Planned Parenthood v. Casey* (1992)

Rollback

- [Dobbs v. Jackson Women's Health Organization](#) (2022)

Federal Legislation: Proposed

Protective

- The *Women's Health Protection Act*
 - Federally codify right to receipt and provision of abortion services
- Abortion coverage in federal health care programs
- Protection of interstate abortion services
- Protection of medication abortion prescribing and dispensing requirements

Restrictive

- Total abortion ban
- 6-week abortion ban
- Nullify FDA changes to medication abortion dispensing requirements

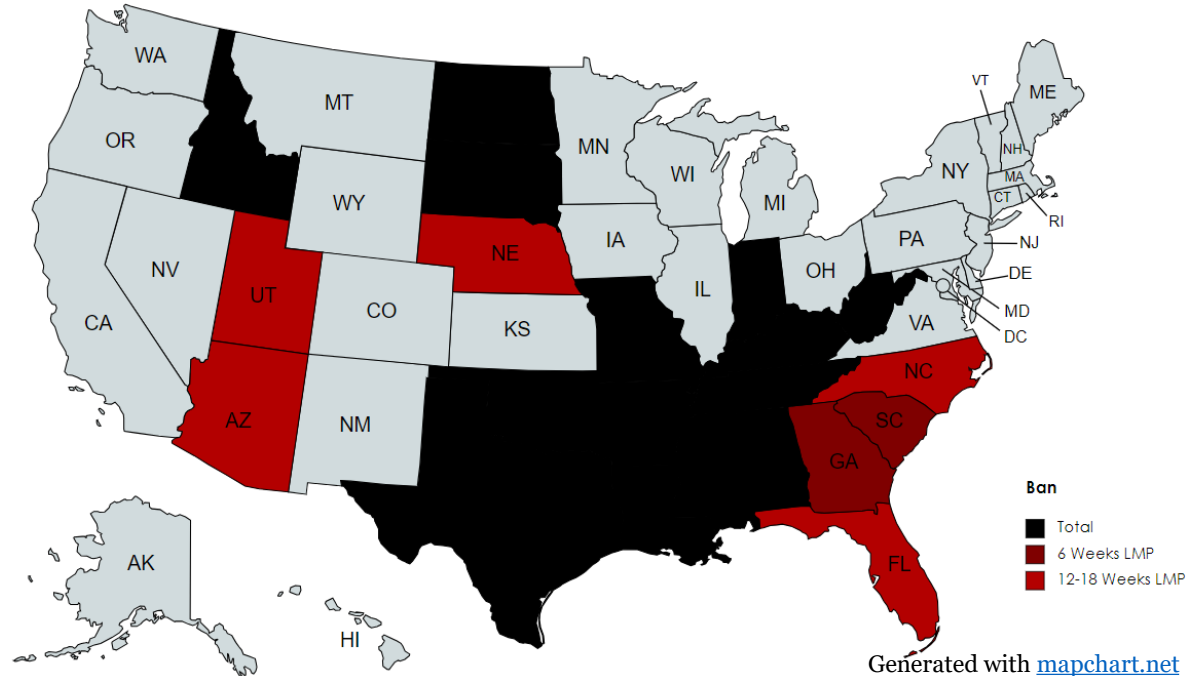
State Legislative Landscape

State Legislation: Banning Abortion

Pre-Viability Gestational Bans

- 25 states

- Total ban: 14 states
- 6 weeks LMP: 2 states
- 12 weeks LMP: 2 states
- 15 weeks LMP: 2 states
- 18 weeks LMP: 1 state
- 22 weeks LMP: 4 states



Generated with [mapchart.net](https://www.mapchart.net)

State Legislation: Restricting Abortion

Medically unnecessary...

- Clinician and facility [requirements](#)
- Mandated [counseling, waiting periods](#), and [ultrasounds](#)
- Medication abortion [restrictions](#)
- Restrictions on [public funding](#) and private insurance

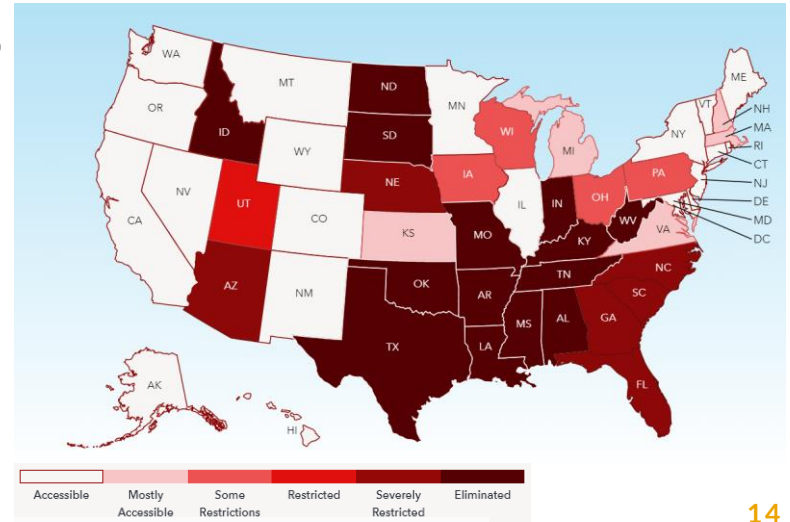
Local Legislation: Banning Abortion

- "Sanctuary city for the unborn" ordinances



Bans and Restrictions Impact

- Disproportionately affect marginalized communities
- Proportion of patients [traveling out of state has doubled](#)
- People may be forced to carry or seek dangerous care
- Banning abortion estimated to lead to [increase in pregnancy-related deaths](#)



Ballot Measures: 2022 and 2023

Kansas and Kentucky

- *Rejected:* Amendment saying constitution doesn't protect right to, or require funding for, abortion

Montana

- *Rejected:* Statute granting fetal personhood and establishing criminal penalties for providers

California

- *Passed:* Amendment protecting reproductive freedom e.g. abortion and contraceptives

Vermont

- *Passed:* Amendment protecting reproductive autonomy

Michigan

- *Passed:* Amendment establishing right to reproductive freedom e.g. abortion and contraception

Ohio

- *Passed:* Amendment establishing right to make reproductive decisions e.g. abortion and contraception

Ballot Measures: 2024

Maryland

- Amendment establishing right to reproductive freedom e.g. abortion

New York

- Amendment prohibiting denial of rights based on "pregnancy, pregnancy outcomes, and reproductive healthcare and autonomy"

Potential Measures

- AZ, AR, CO, FL, IA, ME, MO, MT, NE, NV, PA, SD



Photo: Associated Press-Damian Dovarganes

Advocacy Actions and Resources

Advocacy

Goals

- Educate the public, voters, or policymakers
- Influence public opinion
- Influence legislation, regulations, or policies

Forms

- Press releases
- Op-eds
- Letters to the editor
- Social media
- Events
- Petitions
- Action alerts
- Lobbying

Oklahoma Becomes First State to Entirely Ban Abortion

05.25.2022 - (PRESS RELEASE) Today, Oklahoma Gov. Kevin Stitt signed into law H.B. 4327, a citizen-enforced total ban on abortion that took effect today immediately upon signature. Oklahoma is now the only state in the United States to successfully outlaw abortion while *Roe v. Wade* still stands. A coalition of Oklahoma abortion providers and a reproductive justice organization will imminently file a challenge to the ban and seek to block it in court.

Source: [Center for Reproductive Rights](#)



Source: [Planned Parenthood](#)

LWVUS Reproductive Choices Position

LWVUS believes...

- Public policy must affirm the right of privacy of the individual to make reproductive choices



LWVUS Advocacy Actions

- Responded to *Dobbs* [draft leak](#) and [decision](#)
- Endorsed [Women's Health Protection Act](#)
- Joined [letter](#) to Administration urging action
- Joined [letter](#) to Congress against anti-abortion appropriation riders
- Joined [comments](#) to DoD supporting abortion data collection

State Abortion Advocacy Strategy

- Mitigating Harm
 - Counter harmful bills, ballot measures, constitutional amendments
- Increasing Protection
 - Support protective bills, ballot measures, constitutional amendments
 - Advocate for protective executive orders

STATE ADVOCACY STRATEGY: ABORTION RIGHTS AND ACCESS

Strategy to help state Leagues monitor the abortion and reproductive health legislative landscape, outline opportunities to mitigate harm and increase protection, and share resources for this work.

LWVUS Advocacy Support

LMS Resources

[Here](#)

Legislative Office Hours

[Sign Up Here](#)

Position Interpretation

Legislative Tracking

Legislative and Policy Analysis

Legislative Testimony Writing

Advocacy Strategy Development

Advocacy Email

advocacy@lww.org

Litigation Support: litigation@lww.org or [Federal Action Request](#)

Feedback Survey

Questions?