

News From The States

REPRODUCTIVE RIGHTS TODAY

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By Elisha Brown



*Voters in Ohio will decide directly whether to protect reproductive rights and legalize recreational marijuana on Tuesday. Early voting numbers are surpassing expectations in an off-year election.
(George Frey/Getty Images)*

Questions about abortion and marijuana are on the ballot in Ohio tomorrow. But legions of Ohioans already cast their votes ahead of Election Day.

An Ohio Capital Journal and WEWS [analysis](#) shows that **Democratic and nonpartisan voters have turned in more absentee ballots than their Republican counterparts. Registered Republicans are voting by mail in significant numbers, too, especially in rural counties.**

The Buckeye State has more GOP-leaning counties, but they have smaller populations than those that lean Democratic.

“I think it’s great that the numbers are high, and I think it’s encouraging,” said Jason Stephens, the Ohio House Speaker. “The more people that vote, the better off.”

[Absentee ballots must be postmarked by Monday in order for the votes to count](#), and they’re the first ballots tallied on Election Night, according to the secretary of state’s office.

The future of abortion access and marijuana legalization are at stake. [Issue 1](#) asks voters whether to enshrine reproductive rights into the Ohio Constitution, while [Issue 2](#) asks about legalizing and regulating recreational marijuana.

THE BEAT *States Newsroom coverage*

Some U.S. Senate Republicans wary of Tuberville’s hold on military nominees



*The U.S. Senate approved promotions for three military leaders last week, despite GOP Sen. Tommy Tuberville’s hold on nominees in opposition to a Pentagon abortion policy.
(Kevin Dietsch/Getty Images)*

U.S. Senate Republicans appeared skeptical of Alabama Sen. Tommy Tuberville’s blockade on hundreds of military promotions, which he began in February to protest the Pentagon’s abortion policy, [States Newsroom](#) reports. **Alaska Sen. Dan Sullivan, Iowa Sen. Joni Ernst and other GOP members held the Senate floor for nearly four hours last week, asking for unanimous approval of 60 nominees one-by-one, but Tuberville objected.** “I’m not sure what Senator Tuberville wants now,” Ernst said Thursday. Ernst, a military veteran,

suggested abortion rights opponents bring their issue to court. “If they believe in life, they should be stepping up and challenging this darn policy,” she said.

Sen. Jack Reed, a Rhode Island Democrat, introduced a [resolution](#) Tuesday that would temporarily change the chamber’s rules to go around Tuberville and allow a vote on the nominees in mass. Reed, the Senate Committee on Armed Services chair, would need nine Republicans to approve the resolution’s passage. Ernst rebuffed his solution. “That’s the last thing we want to see,” she said.

Still, [the Senate cleared three top military leaders for promotions last week](#). Tuberville and Sullivan have been collecting petitions to start voting on the nominees individually, but the Alabama Republican refuses to lift his block. **He’s critical of the U.S. Department of Defense’s rule allowing service members and their dependents to receive travel reimbursements for reproductive care, such as abortions**. Tuberville’s actions have left more than 370 military promotions in limbo, a figure that the Pentagon said could swell to 650 by year’s end.

A look at how GOP presidential contender Nikki Haley talks about abortion



*Nikki Haley’s popularity is climbing in the polls. She favors a “consensus” on abortion but backed several restrictions in South Carolina as governor and legislator.
(Stephanie Keith/Getty Images)*

Republican Nikki Haley, former U.N. ambassador and governor of South Carolina, is gaining momentum in her bid for the White House. Haley is [polling](#) second — above

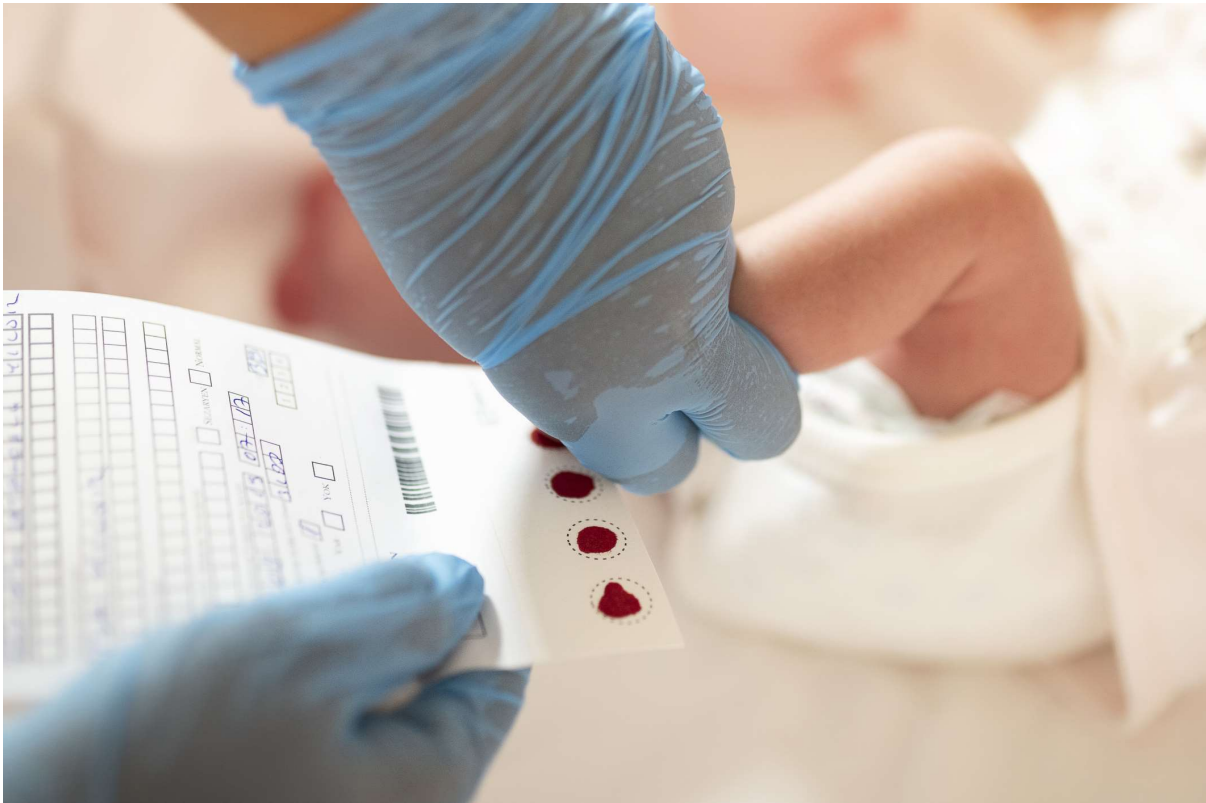
Florida Gov. Ron DeSantis — in New Hampshire and South Carolina, key primary states. Just 29% of Republican voters said they would consider voting for Haley before the GOP presidential debate, but that number jumped to 46% after her performance, according to a WashingtonPost/FiveThirtyEight/Ipsos [survey](#). Haley's success isn't surprising to Furman University political science professor Danielle Vinson. "She thinks quickly, and she communicates in a way that she doesn't go too deeply into the weeds that the viewers can't follow it," Vinson told [Florida Phoenix](#).

Haley's communication style infuses how she talks about abortion, a key issue in the 2024 election. During the first GOP debate, Haley stressed that Republicans would not be able to push a federal ban without a majority in Congress and control of the White House. She has repeatedly called for "[consensus](#)" on the issue and [said](#), "I think we can all agree on banning late-term abortions." Federal data shows [abortions later in pregnancy are rare](#), despite Republicans' repeated use of the [non-medical term](#) on the campaign trail. And in July, Haley told [Fox News](#) journalist Shannon Bream that a national ban is unrealistic, but "whatever 60 Senate votes come to, whether that's 15 weeks, I absolutely would sign" the bill into law if elected president.

When Haley was South Carolina's governor, she signed [legislation](#) in 2016 banning abortion after 22 weeks' gestation or 20 weeks post-fertilization. As a state House legislator, she backed measures enacting 24-hour waiting periods for abortion and banning South Carolina employees who were victims of rape and incest from getting abortions covered by state insurance, the [Associated Press](#) reports.

Haley's statements as she campaigns for the GOP nomination have led some outlets to call her a "[moderate](#)" compared with her competitors. But political experts told the Phoenix they disagree. "She wasn't a moderate as a governor. She wasn't a moderate as a legislator," said Charles Bierbauer, dean emeritus at the University of South Carolina's College of Information and Communications. "She is not a moderate now."

New Jersey facing class-action lawsuit for storing baby blood spots



*Hospitals routinely heel-prick newborns to test for disease, but New Jersey stores baby blood spots without revealing why they're stockpiled.
(Getty Images)*

A New Jersey couple is suing health officials over storage of baby blood spots on standard disease tests for newborns, [New Jersey Monitor](#) reports. Erica and Jeremiah Jedynak are lead plaintiffs in a federal class-action lawsuit [filed](#) this month by the libertarian nonprofit law firm Institute for Justice. **They argued that the state is violating the constitutional rights of millions of babies and parents by storing blood spots without informed consent.** The Jedynaks want a judge to stop New Jersey from keeping the tests after disease screening without disclosing how they will be used. A spokesperson for the state Health Department declined to comment.

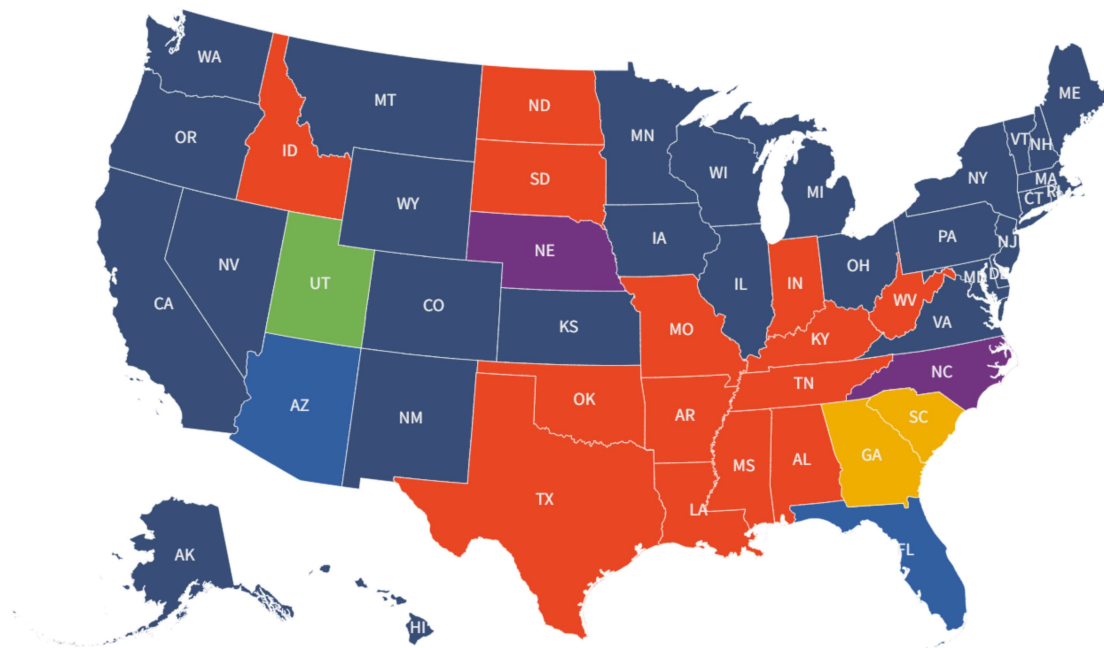
“The whole thing is really horrifying and alarming to me,” Erica Jedynak told the Monitor. “It’s my son’s blood. It’s his genetics. It is so unique to him. And so I feel like it’s my job to protect him.” **The storage of infant tests caused controversy last year when the New Jersey public defender’s office [discovered](#) police used one to charge a child’s father in a 1996 crime.** That case caught the attention of lawyers at the Institute for Justice, which specializes in Fourth Amendment cases to protect people from government overreach. Brian Morris, an institute attorney, said he hopes the lawsuit will lead to government transparency.

THE PULSE *Reproductive rights news across the country*

- During a final debate between candidates vying for a Rhode Island congressional seat, Democrat Gabe Amo said he supports codifying Roe v. Wade, while Republican Gerry Leonard said the issue should be left to the states. ([Rhode Island Current](#))

- Economists are gauging whether Florida would have to fund abortions with Medicaid under a proposed ballot measure. ([Florida Phoenix](#))
- Nearly 60% of people polled in Massachusetts said the state's abortion rights laws attract residents. ([CommonWealth](#))
- Iowa law requires abortion rights foe Gov. Kim Reynolds to approve Medicaid coverage of abortions for fetal anomalies or sexual abuse victims. ([KFF Health News / The 19th*](#))
- If Issue 1 fails in Ohio, people on probation or parole face even greater abortion restrictions, advocates say, because their ability to travel across state lines to seek care is inhibited. ([Bolts Magazine](#))

STATE BY STATE *Abortion access in the U.S.*



Open this interactive map in your browser

Track state-level developments on reproductive rights anytime at [News From The States](#). Send tips and thoughts to ebrown@statesnewsroom.com, and follow her on Twitter [@elishabrown](#).

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