

News From The States

REPRODUCTIVE RIGHTS TODAY

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By Elisha Brown



Voters in Ohio codified abortion access and reproductive health protections. The victory in the Republican-controlled state serves as a litmus test for efforts to put abortion on the ballot in at least seven states next year. (Graham Stokes/Ohio Capital Journal)

Ohio voters enshrined reproductive rights protections in their state constitution, [Ohio Capital Journal](#) reports. With a more than [12-point margin](#) and about 97% of the votes tallied, the defeat is significant for Republicans, who dominate Ohio politics.

“Today, Ohioans made it clear, abortion is a winning issue, and together we can do anything,” said Lauren Blauvelt, co-chair of Ohioans United for Reproductive Rights and executive director of Planned Parenthood Advocates of Ohio.

The referendum in the Buckeye State marked the first time abortion was directly on the ballot since 2022, when voters in six states — [California](#), [Kansas](#), [Kentucky](#), [Michigan](#), [Montana](#) and [Vermont](#) — either preserved abortion rights or shut down attempts to restrict access.

[Issue 1](#) asked Ohioans whether to safeguard the right to abortion up to fetal viability — or beyond if the patient’s health or life is imperiled. Voters answered with a firm yes, while also approving constitutional protections for the full spectrum of reproductive health care — childbirth, birth control, fertility treatments and miscarriage care.

A coalition of advocates and providers filed the ballot petition in February, but attempts to thwart their campaign began shortly afterward. Abortion rights opponents quickly formed Protect Women Ohio, a dark money 501(c)(4) organization, to fight the initiative, [Capital Journal](#) reports. The group ran a \$5 million ad campaign alleging the proposal would weaken parental consent laws. Statewide, anti-abortion rights groups joined the fight, [unsuccessfully suing](#) the Ohio Ballot Board for approving the petition.

Republican lawmakers played a part, too. The GOP-controlled Ohio Legislature advanced a [proposal](#) to raise the voter-approval threshold for constitutional amendments. That measure appeared on ballots in August, when [57% of voters rejected](#) it. Then, the Ohio Ballot Board, led by Secretary of State Frank LaRose, approved a [ballot summary](#) with what advocates said was loaded language obscuring the full scope of the measure. Ohioans United for Reproductive Rights [sued](#) the board to no avail.

Despite hurdles, the citizen-led effort succeeded, and the amendment will serve as a guardrail against a blocked six-week abortion ban. A lawsuit over that restriction is still moving through the courts, but Issue 1’s passage will likely lead to more legal action, [Capital Journal](#) reports.

Abortion rights opponents in the state vowed to keep fighting.

“I remain steadfastly committed to protecting life, and that commitment is unwavering,” Republican Ohio House Speaker Jason Stephens wrote in a statement. “The legislature has multiple paths that we will explore to continue to protect innocent life. This is not the end of the conversation.”

Looking to 2024, efforts to put abortion questions directly to voters are [underway](#) in [Arizona](#), [Colorado](#), [Florida](#), [Missouri](#), [Nebraska](#), [Nevada](#) and [South Dakota](#). Related measures are already set to appear before voters in [New York](#) and [Maryland](#).

THE BEAT *States Newsroom coverage*

Virginia Democrats win control of the General Assembly with campaigns centering abortion access



Senate Democratic leaders Scott Surovell and Mamie Locke hold up blue bricks symbolizing their “brick wall” against the GOP agenda during the Democratic Election Night Party in Richmond, Virginia, on Nov. 7, 2023. (Parker Michels-Boyce/Virginia Mercury)

Democrats, who campaigned on protecting Virginia’s abortion laws, won control of both statehouse chambers. The Democratic Party held their majority in the Senate and, around midnight, appeared to have gained control of the House of Delegates, [Virginia Mercury](#) reports.

The results likely block Republicans from advancing a 15-week ban through the legislature to the governor’s desk. “We’re more than just a brick wall now. We are building a house,” said Sen. Mamie Locke, chair of the Senate Democratic Caucus, as House races were called.

All 140 legislative seats were up for election in Virginia, which has the most protective abortion laws in the Southeast.

Republican **Gov. Glenn Youngkin** defended his call for more abortion restrictions Tuesday morning during a visit to [Loudoun County](#), a competitive state Senate district where voters ultimately chose Democrat Russet Perry over Republican Juan Pablo Segura, [Virginia Mercury](#) reports. Youngkin doubled down on campaign messaging that insisted a 15-week cutoff for abortions — with exceptions for rape, incest or to save a mother’s life — is a reasonable limit, not a ban. “Anything anybody else says is an absolute lie,” he said, adding that Democrats “sell fear” and the GOP is the “party of help.”

At the Ashburn precinct where Youngkin spoke, Tyler Pla told the Mercury abortion was a top issue for him. “If you can’t defend babies, then what are you doing? That’s where life starts,” the 24-year-old said. **Liz Carter, a 51-year-old Virginian, said she had two dilation and curettage procedures — when fetal tissue is surgically removed from the uterus — to**

treat miscarriages. “By denying women the right for women to choose, it also prevents women from getting access to that kind of health care,” she said, “and I’m especially worried for my daughter that she will have fewer rights than I did.”

In Virginia, [abortion is legal in the first two trimesters of pregnancy](#), but procedures after 13 weeks must be performed in hospitals. Third trimester abortions are allowed only if a patient’s life or health is in jeopardy, and three doctors must agree pregnancy termination is necessary. **Virginia is the lone state in the Southeast that has not passed abortion restrictions since the U.S. Supreme Court overturned Roe v. Wade last year.** [An attempt to pass a 15-week ban failed in January](#) after Sen. Siobhan Dunnivant, a Henrico County Republican and practicing OB-GYN, said she couldn’t vote for an abortion restriction without exceptions up to 24 weeks for fetal abnormalities. Dunnivant lost her [race](#) against Democratic Del. Schuyler VanValkenburg for Senate District 16. “I am 100% proud of my campaign,” she said Tuesday night.

Pennsylvania sends Democrat Daniel McCaffery to state Supreme Court



Gov. Josh Shapiro stumped for Democrats, including Supreme Court candidate Daniel McCaffery, early on Election Day. The race underscored the impact of the abortion debate on even judicial elections in 2023. (John Cole/Pennsylvania Capital-Star)

National groups invested millions in the race between Democrat Daniel McCaffery and Republican Carolyn Carluccio for a vacant Pennsylvania Supreme Court seat. McCaffery

emerged victorious, winning a 10-year term, [Pennsylvania Capital-Star](#) reports.

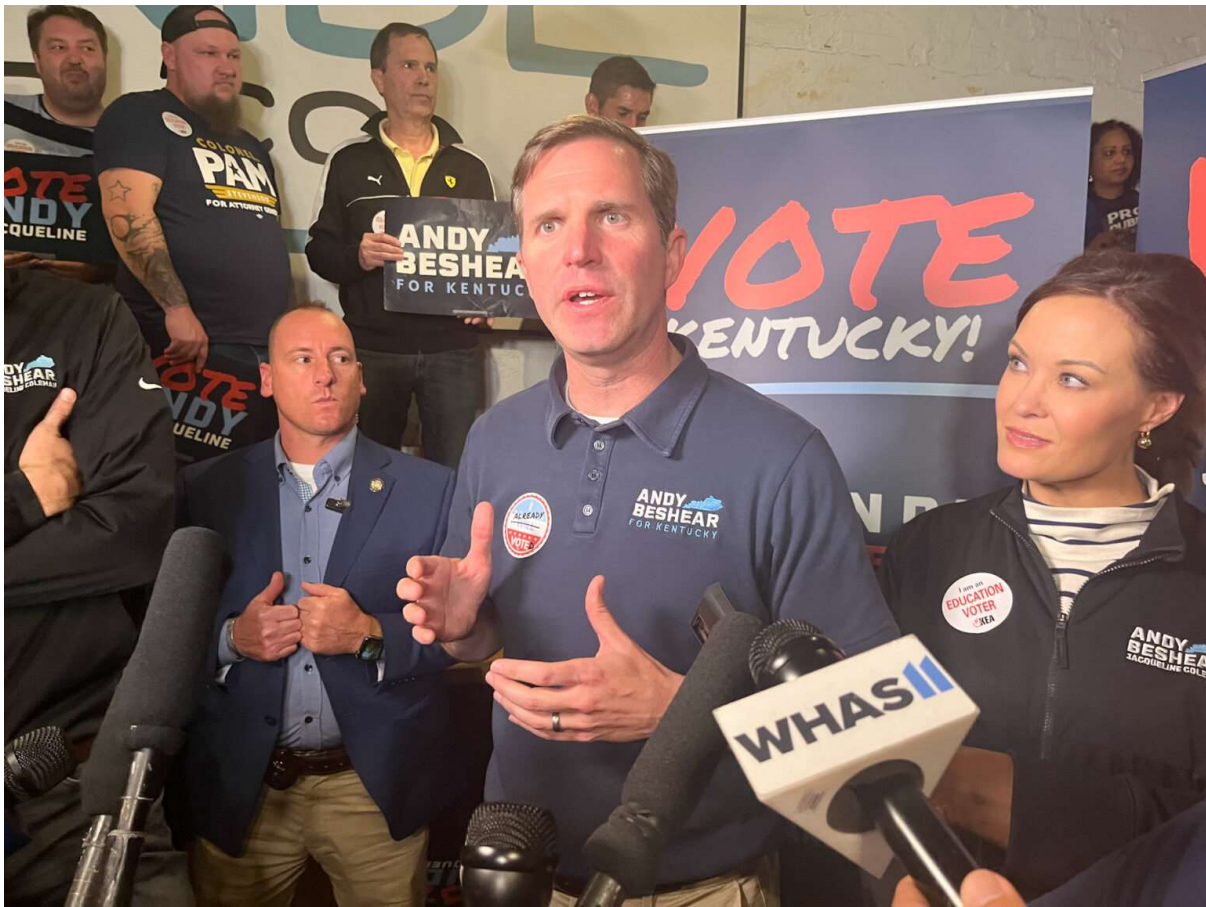
Carluccio blamed the debate over abortion for her loss after results rolled in. She told Capital-Star that “Democrats had nothing to use against me except for the abortion issue.”

McCaffery received endorsements from Reproductive Freedom for All and [Planned Parenthood PAC](#), which also ran a seven-figure ad campaign in the state criticizing Carluccio for removing anti-abortion rights language from her website. Pennsylvanians for Judicial Fairness spent at least \$3.2 million on ads favoring the Democratic candidate or attacking his Republican opponent, according to [Spotlight PA](#). Carluccio’s campaign received [\\$4.4 million](#) from the [Commonwealth Leaders Fund](#), a group backed by GOP mega-donor Jeff Yass, as of late October.

Democratic **Gov. Josh Shapiro** stumped for McCaffery Tuesday morning in **Bucks County**, an area critical to the electoral success of the governor and U.S. Sen. John Fetterman, [Capital-Star](#) reports. Shapiro predicted the candidate would be elected and “on the front lines of all of the major issues that we care about in the next number of years.”

While **McCaffery’s win doesn’t change the political makeup of the Democratic-leaning bench**, he will play a role in deciding abortion-related cases. Abortion is legal up to 24 weeks in Pennsylvania with exceptions later in pregnancy for medical emergencies.

Kentucky Gov. Beshear wins reelection bid against anti-abortion AG



Kentucky Gov. Andy Beshear answers questions Monday night in Louisville. The Democrat urged Republican lawmakers to add rape and incest exceptions to the commonwealth's abortion laws. (McKenna Horsley/Kentucky Lantern)

Democratic **Gov. Andy Beshear** won his race against Republican **Attorney General Daniel Cameron**, [Kentucky Lantern](#) reports. Beshear's [campaign ads](#) attacked Cameron on abortion, zeroing in on his support for the state's near-total ban, which lacks exceptions for rape or incest. In September, Cameron said he'd be open to signing legislation allowing sexual abuse victims to get abortions if elected governor, according to the [Lantern](#).

Planned Parenthood Alliance Advocates of Kentucky celebrated Beshear's reelection, congratulating the governor on defeating "one of the most aggressive anti-abortion politicians" in the state. "The fundamental right to reproductive health and freedom are under attack like never before and Kentuckians want someone at the helm to fight for their futures," said Tamarra Wieder, the group's director, in a [statement](#) released Tuesday night.

The outcome of the gubernatorial election comes a year after a surprise victory for abortion rights in the commonwealth. More than 50% of [Kentucky voters rejected an anti-abortion rights constitutional amendment](#) proposed by the GOP-controlled legislature during the 2022 midterms.

Despite that win for abortion rights, **the Kentucky Supreme Court upheld the state's bans in February.** Justices [ruled](#) that providers lacked standing to challenge abortion restrictions on behalf of their patients. Cameron praised the high court's decision. "We will continue to stand up for the unborn by defending these laws," he said.

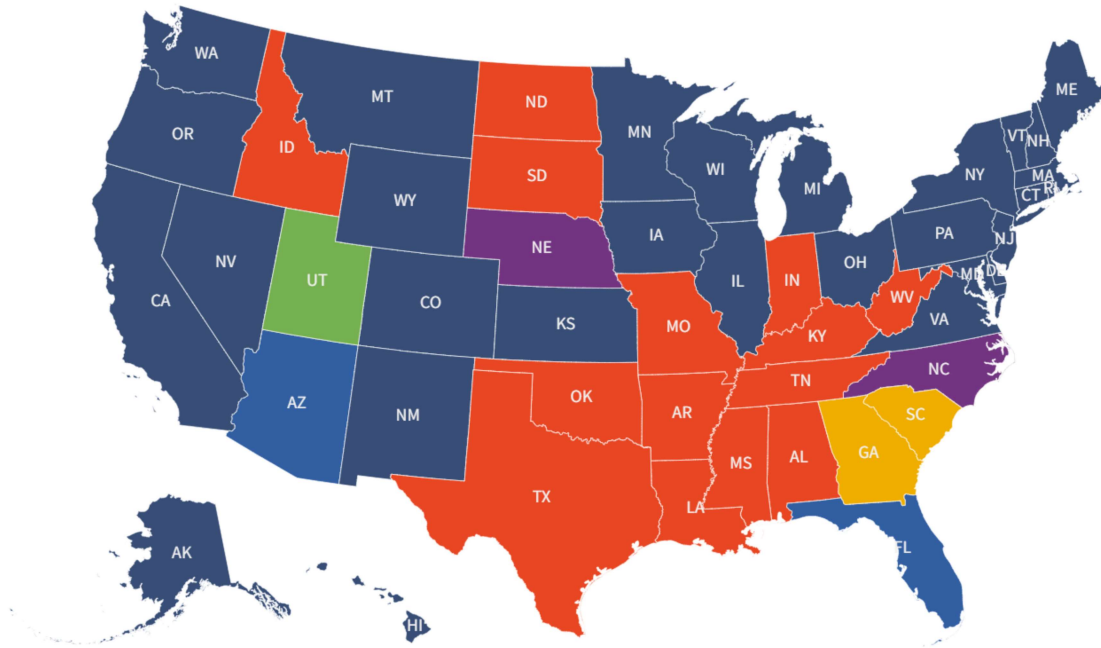
THE PULL *Commentary from Washington, D.C.*

“Abortion access isn't just a winning issue with voters; it's a fundamental right that impacts every aspect of their lives. Ohioans have now constitutionally guaranteed this right, and the nation is watching.” — **Mini Timmaraju**, Reproductive Freedom for All president on Issue 1's passage

THE PULSE *Reproductive rights news across the country*

- Rhode Island Democrat Gabe Amo, an abortion rights supporter, won a special election for the state's 1st Congressional District. ([Rhode Island Current](#))
- Mississippi Attorney General Lynn Fitch, a Republican key in Roe v. Wade's demise, defeated challenger Greta Kemp Martin, a Democrat who ran on reproductive rights. ([Mississippi Today](#))
- The U.S. 5th Circuit Court of Appeals heard arguments in a case concerning whether Texas should follow a federal policy allowing hospital officials to provide life-saving abortion care. ([Texas Tribune](#))
- Idaho, Kansas and Missouri are bringing a fresh lawsuit against the U.S. Food and Drug Administration over the abortion medication mifepristone, asking a federal judge to undo approval of the drug's generic version and bar the pill from being delivered through the mail. ([Bloomberg Law](#))
- New Hampshire, a state where nearly half of the residents use private wells, gives free water-testing kits to pregnant people eligible for the federal Women, Infants, and Children nutrition program. ([New Hampshire Bulletin](#))
- New York Gov. Kathy Hochul signed legislation this week establishing a statewide doula directory. ([Spectrum News](#))

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



Open this interactive map in your browser

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