

News From The States

REPRODUCTIVE RIGHTS TODAY

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By [Sofia Resnick](#)



*The same share of Kentucky voters who supported Democratic Gov. Andy Beshear's reelection in November 2023 rejected an anti-abortion amendment to the state Constitution in November 2022. Above, supporters of reproductive rights celebrated last year's victory.
(Kentucky Lantern/Arden Barnes)*

Advocates in Kentucky are hopeful they can bring abortion rights back to their conservative state following Democratic Kentucky **Gov. Andy Beshear's** re-election victory last week. As the [Kentucky Lantern reports](#), Beshear campaigned heavily on reproductive rights and ran a “**devastatingly effective**” ad against Republican challenger **Attorney General Daniel Cameron**. The ad featured 21-year-old **Hadley Duvall** from **Owensboro**, who described her childhood rape and pregnancy while decrying the attorney general's support for **Kentucky's near-total ban on abortion**.

Beshear's win comes one year after Kentucky voters **rejected an anti-abortion ballot** measure by 52% — about the same share of voters who reelected the governor.

But **pregnancy termination remains illegal in Kentucky, in all stages and in most cases**. The state has two anti-abortion bans on the books: a total “trigger” abortion ban and another law that prohibits abortion if electrical activity can be detected on an ultrasound, usually in the first few weeks of pregnancy.

Advocates are hopeful Beshear's win will translate into increased support and political will to expand abortion rights in the state. “I think it is very obvious that abortion has become an issue that people are not afraid to talk about any longer and that certainly does drive people to the polls,” said **Angela Cooper**, communications director for the **American Civil Liberties Union of Kentucky**.

Beshear has said he supports abortion access until viability, but is more immediately [calling for adding rape and incest exceptions](#) to the law, something advocates say is not enough.

“Exceptions for rape and incest are the minimum,” Cooper said. “It's really not enough.”

THE BEAT *States Newsroom coverage*

DOJ goes after Alabama AG's threats to prosecute providers of out-of-state abortion information



*Alabama Attorney General Steve Marshall prior to the State of the State address by Gov. Kay Ivey on Tuesday, March 7, 2023 in Montgomery, Ala.
(Stew Milne/Alabama Reflector)*

The U.S. Department of Justice has joined a lawsuit to stop Alabama Attorney General Steve Marshall from prosecuting people **who help pregnant Alabamians obtain abortions in other states**, the [Alabama Reflector](#) reports.

In its **motion to intervene** in a lawsuit filed by health care providers, the DOJ argues that being able to travel between states is a fundamental American right.

Marshall had previously suggested that those who help people access abortion out of state **could face felony prosecution**, which led health providers to stop counseling and informing pregnant people in Alabama about their out-of-state options. After the lawsuit was filed in July, Marshall renewed his threats, prompting the DOJ to intervene.

“The Alabama AG cannot undermine the right to travel by making each traveling individual an island unto themselves, prohibited from receiving assistance from anyone else within the state,” attorneys for the DOJ wrote.

North Carolina appeals court withdraws controversial personhood ruling

The North Carolina Court of Appeals has withdrawn a controversial personhood ruling that had profound implications for families across the state, [NC Newsline](#) reports.

A **North Carolina mom [lost her parental rights](#)** last month because she had committed a crime while pregnant. Republican Judge **Hunter Murphy**, who authored the opinion, wrote that her parental rights could be terminated because “life begins at conception.”

But last week, Judges Murphy, Jefferson Griffin and Toby Hampson — all of whom concurred in the opinion — ordered the opinion be withdrawn, and with it the potential precedent establishing personhood.

Indiana abortion providers file new complaint against state abortion law



Abortion rights advocates march up Capitol Avenue to surround the Indiana Statehouse on July 25, 2022. (Whitney Downard/Indiana Capital Chronicle)

Indiana abortion providers filed an amended complaint challenging the state’s near-total abortion ban, reports the [Indiana Capital Chronicle](#). Plaintiffs are seeking new injunctions against what they say are “**unconstitutionally narrow**” health exceptions and unnecessary hospital requirements.

The state abortion ban went into effect last August after being on hold for about a year after plaintiffs challenged the first time, alleging the law infringed privacy rights. The **Indiana Supreme Court upheld the ban** in late June but said plaintiffs could sue over specific parts of the law.

The current law limits abortion access to women who face “serious risk of substantial and irreversible physical impairment of a major bodily function,” which plaintiffs argue is too narrow and also excludes people with debilitating psychiatric conditions. **Plaintiffs are asking the court to halt enforcement of the law’s health-risk language and pause a requirement that legal abortions can only occur at hospitals or ambulatory surgical centers.**

“While this would be a critical step forward for reproductive freedom, it would not restore access for most people seeking abortion in Indiana,” reads a joint statement by **plaintiffs Planned Parenthood, Women’s Med Group, All-Options Pregnancy Resource Center and OB-GYN Dr. Amy Caldwell**. “We will continue working to support Hoosiers in getting abortions — and we will continue to fight until access is fully restored.”

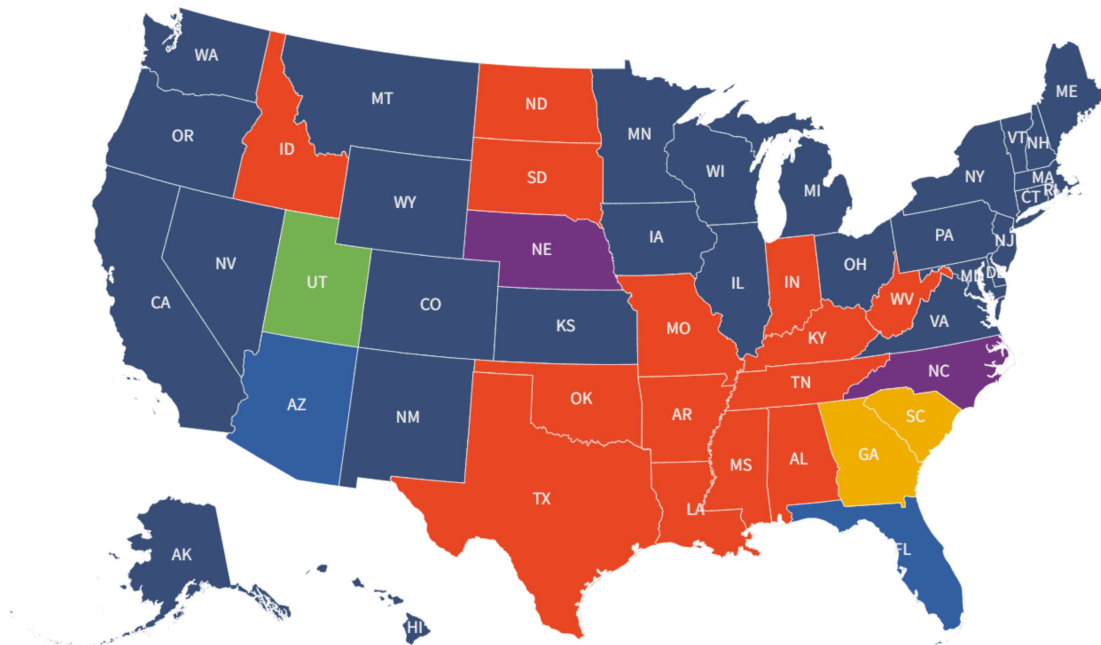
THE PULL *Commentary from Kentucky*

“[Kentucky Gov. Andy] Beshear’s reelection could make the legislature more responsive to voters on the [abortion] issue. But Republicans could follow [Republican Attorney General Daniel] Cameron’s lead and try to engage Beshear in a debate over how long a pregnancy can last before abortion is prohibited. That issue could be forced on the governor and the legislature if the state Supreme Court, in a long-delayed case, finds the near-total ban unconstitutional.” — **Al Cross**, contributor, [Kentucky Lantern](#)

THE PULSE *Reproductive rights news across the country*

- Ohio Democrats announce new reproductive health bills after Issue 1 win. ([Ohio Capital Journal](#))
- Democratic U.S. Sen. Joe Manchin III’s decision not to run in 2024 could end up flipping the Senate to GOP control, possibly road-blocking an abortion-rights agenda. ([States Newsroom](#))
- A Kansas woman loses her health insurance after telling Health Insurance Marketplace she’s pregnant. ([KCTV5](#))
- A new study finds that — pre-Dobbs — states with heavy abortion restrictions placed more kids in foster care, especially kids of color. ([CNN](#))
- An international nonprofit is opening an abortion clinic in Cancun, Mexico, as a new access point for Americans unable to get abortions in their home states. ([Stat News](#))

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



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