

# News From The States

## REPRODUCTIVE RIGHTS TODAY

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By [Elisha Brown](#)



*Ohio coalition members behind the effort to codify reproductive rights celebrated their victory on Tuesday, Nov. 7.*

*(Graham Stokes/Ohio Capital Journal)*

The outcome of last week's elections in Ohio, Kentucky, Pennsylvania and Virginia proved the political saliency of abortion rights to various degrees. But the firmest rejection of restrictions undoubtedly emerged in Ohio, where the majority of voters approved Issue 1 and enshrined reproductive rights into the state constitution.

Ohioans also voted in favor of Issue 2, which legalized marijuana's recreational use and regulation. Our colleagues at [Ohio Capital Journal](#) talked to political experts to analyze the **victories for reproductive rights and marijuana legalization, issues typically pigeonholed as liberal that won in a state controlled by conservative lawmakers.**

Both ballot questions did well in counties near Lake Erie, areas that Republicans have gained dominance in over the years, Capital Journal reports. But in southern Ohio near the borders of Kentucky and West Virginia — two states with near-total abortion bans — voters favored recreational marijuana over reproductive rights.

**Voters in Delaware County, near the state’s center, have not voted for a Democrat since Woodrow Wilson was president**, according to University of Cincinnati political scientist David Niven. **But residents there and in neighboring GOP-leaning counties overwhelmingly supported Issue 1.**

“I think Republicans are very scared of their own Republican women voters in the suburbs at this point,” Niven said.

**THE BEAT** *States Newsroom coverage*

## Ohio governor dodges questions on GOP plans to oppose election results

Republican Gov. Mike DeWine said he would accept the majority of Ohioans’ decisions to protect reproductive rights and legalize recreational marijuana use. But he avoided questions from reporters last week about his party’s plans to oppose the will of the voters regarding the issues, [Ohio Capital Journal](#) reports.

**After results rolled in Tuesday, dozens of Republican lawmakers wrote a [letter](#) saying they would “do everything in our power” to prevent the repeal of abortion restrictions.** DeWine refused to comment. “Look — I’m not going to talk about what anybody else is doing,” he said. “What I’ve just said is that we respect the vote, but like everything else in this country, whether it’s legislation passed by the General Assembly, a constitutional amendment passed by the people, we always continue to evaluate how things are working.”

**DeWine also acknowledged that Issue 1 succeeded due to the unpopularity of the state’s blocked six-week abortion ban, which lacks exceptions for rape and incest.** “How people felt once Roe v. Wade was overturned, what was hypothetical became real... You can see a change in people’s opinions,” said DeWine, who signed the ban into law.

**For their part, Ohio’s Democratic legislators have turned their attention to repealing abortion restrictions.** They introduced legislation to remove the six-week ban and a 24-hour waiting period for abortions. “This bill is making sure that people do have access by removing some of the barriers that have been put in place over the last 20 or 30 years that really impact women’s health and the care they’re able to receive,” said Rep. Beth Liston, a physician. The proposals are unlikely to move in the GOP-dominated statehouse.

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## Virginia Democrats could codify abortion rights, advocates say



*Virginia Del. Don Scott, now the speaker-designee, cheered as election results rolled in last week. Advocates are calling on Democrats to advance an abortion rights ballot measure. (Parker Michels-Boyce/Virginia Mercury)*

Democrats have a slim majority in both chambers of the Virginia General Assembly after winning control of the House of Delegates and holding the Senate last week. Still, Republican Gov. Glenn Youngkin can use his veto power to reject legislation sent to his desk, [Virginia Mercury](#) reports. Youngkin pushed his party to campaign in favor of a 15-week ban.

**Democrats could move to protect reproductive rights in the state constitution without getting a signoff from Youngkin: Advocates are urging the party to use its newfound power to codify abortion access.** Virginia's constitutional amendment process takes years, though. "Our victory on Tuesday allows us to work with these majorities to advance a constitutional amendment that will be on Virginia's ballot in 2026 when we keep an abortion-rights majority in 2025," said Jamie Lockhart, executive director of Planned Parenthood Advocates of Virginia.

**The Senate already passed an abortion rights amendment earlier this year, but it failed in the Republican-led lower chamber.** Lockhart said the measure's language could be tweaked to fall in line with successful efforts across the country. For instance, the initial amendment didn't mention fetal viability as a reason to restrict abortion later in pregnancy, which critics said could override Virginia's existing restrictions on third trimester abortions. Most Democratic candidates who ran for office this year said they wanted to maintain the commonwealth's existing abortion laws.

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## Stark contrasts between PA Supreme Court elections in 2021 and 2023

Judge Daniel McCaffery flipped three counties from red to blue to win his race for a vacant state Supreme Court seat, [Pennsylvania Capital-Star](#) reports. **The majority of Pennsylvanians in Berks, Bucks and Dauphin counties voted for the Democrat McCaffery over Republican Carolyn Carluccio. Voters in those three counties also helped elect Republican Justice Kevin Brobson to the high court in 2021.** This year, McCaffery received 53.4% of the votes cast compared with Carluccio's 46.6%. In 2021, Brobson [defeated](#) Democrat Maria McLaughlin 50.4% to 49.6%. Voter turnout increased between the two elections, particularly in highly-populated areas.

**The 2023 race between McCaffery and Carluccio, which largely revolved around abortion rights, will go down as one of the most expensive judicial races in the Keystone State's history.** McCaffery didn't shy away from his support of the issue. Carluccio said she would follow the state's abortion laws, but national reproductive rights groups ran attack ads accusing the Republican of scrubbing anti-abortion rights positions from her website. Ultimately, the Pennsylvania high court election underscores the heightened importance of state Supreme Courts in the post-Roe era.

### **THE PULL** *Commentary from Wisconsin*

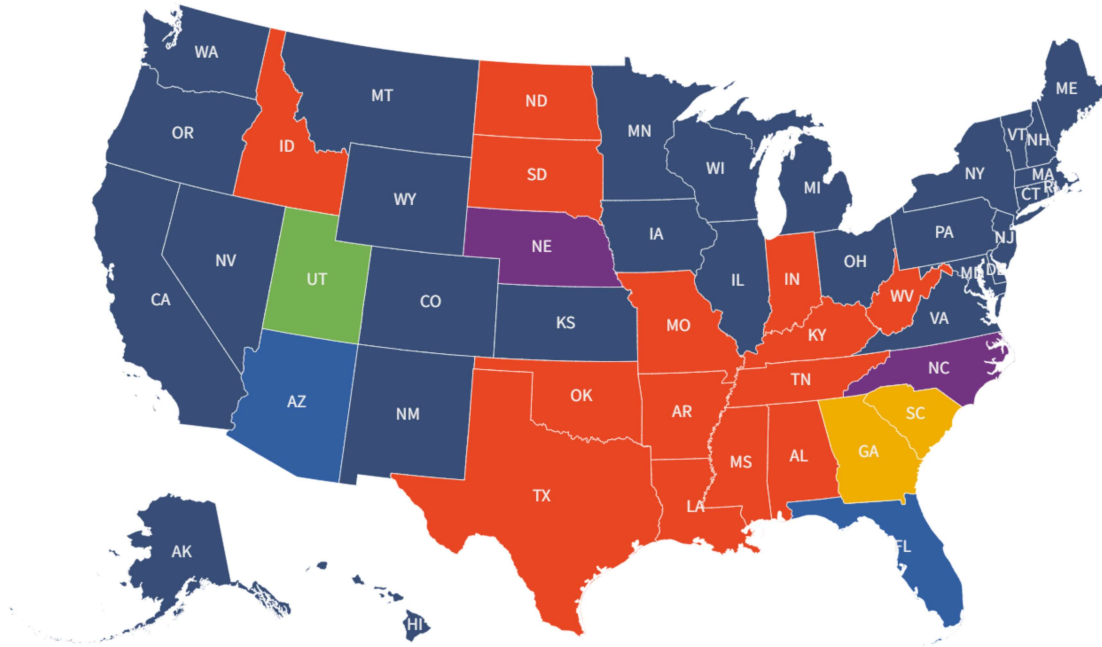
"I was 19 weeks pregnant when I went into previable preterm labor with advanced cervical dilation: Our son had not developed enough to survive outside of my womb. My husband and I would inevitably lose him. We couldn't imagine that our state's laws would create a situation that would nearly cost me my life in the process." — **Hannah Thompson**, inpatient medical social worker and Committee to Protect Health Care member, [Wisconsin Examiner](#)

### **THE PULSE** *Reproductive rights news across the country*

- Arkansas, Illinois, Louisiana, Missouri, New Mexico, Ohio and Utah have the lowest participation rates in the federal Women, Infants and Children nutritional program. ([Missouri Independent](#))
- Washington Commissioner of Public Lands Hilary Franz ended her bid for governor and launched a campaign for Congress, citing abortion rights as a priority. ([Washington State Standard](#))
- Guam's Supreme Court rejected a request from the U.S. territory's attorney general to reinstate a total abortion ban. ([RNZ](#))
- Republican National Committee Chairwoman Ronna McDaniel said her party needs to talk about abortion after losing crucial elections that revolved around the issue. ([NBC News](#))

- OB-GYNS are often the first to learn if a patient is experiencing domestic violence, so the surge of doctors leaving states with abortion bans could affect abuse survivors. ([The 19th\\*](#))

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



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