

News From The States

REPRODUCTIVE RIGHTS TODAY

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By Elisha Brown



*Former U.S. Supreme Court Associate Justice Sandra Day O'Connor was sworn into office in 1981 by then-Chief Justice Warren Burger, left, as her husband, John, looked on. O'Connor cast a decisive vote in a 1992 abortion access case.
(National Archives)*

Sandra Day O'Connor, the first woman to serve on the U.S. Supreme Court and a pivotal figure in a court case about access to abortion, died on Friday, [States Newsroom](#) reports. She was 93.

The groundbreaking justice was nominated to the nation's high court by former President Ronald Reagan, a Republican, and confirmed by the full Senate 99-0 in 1981. (One senator was [absent](#).) At her confirmation hearing, [O'Connor, then 51, said](#) she was opposed to

abortion at a personal level, but added, “I’m over the hill. I am not going to be pregnant anymore, so perhaps it is easy for me.”

O’Connor sided with the majority of justices in 1992’s **Planned Parenthood of Southeastern Pennsylvania v. Casey** case. Her vote – a surprise move — was crucial to the 5-4 decision that reaffirmed the constitutional right to an abortion set by *Roe v. Wade* in 1973. But **the ruling also left leeway for states to impose restrictions.**

She retired in 2006. **Justice Samuel Alito**, who authored the opinion in last year’s *Dobbs v. Jackson Women’s Health Organization* decision that overturned the federal right to an abortion, replaced her.

THE BEAT *States Newsroom coverage*

Republican presidential candidates rehash abortion views as Iowa caucus nears



Iowa Gov. Kim Reynolds endorsed Florida Gov. Ron DeSantis for the Republican presidential nomination. White House hopefuls are courting Iowans ahead of the GOP caucus next month. (Robin Opsahl/Iowa Capital Dispatch)

The [countdown](#) to the Iowa Republican presidential caucus, set for mid-January, has begun. Candidates vying to represent the GOP in the 2024 general election are campaigning throughout the state in an effort to garner votes while rehashing their stances on key issues such as abortion, [Iowa Capital Dispatch](#) reports. **Former President Donald Trump** continues to lead in the polls, with **Florida Gov. Ron DeSantis** and former **United Nations**

ambassador Nikki Haley behind him. Support for Haley is trending [upward](#), according to polling data.

While Trump nominated three of the U.S. Supreme Court justices who voted to overturn *Roe v. Wade* last year, his views on abortion have varied. His campaign has paid for [Facebook ads](#) in Iowa calling him the most “pro-life” president in history. In September, Trump [criticized](#) DeSantis’s decision to sign a six-week abortion ban into law, which is dormant until the Florida Supreme Court rules on the state’s current 15-week restriction. DeSantis’s campaign is hoping to persuade Iowa caucusgoers by comparing the state to Florida, according to the *Capital Dispatch*. Both states have governors who signed six-week bans into law. Iowa’s ban is blocked by the courts.

Haley has continued to call for a consensus on abortion policy and maintained congressional Republicans lack enough votes to enact a federal abortion ban. The former South Carolina governor has advocated for more maternal health care, adoption support and a ban on abortions later in pregnancy. Less than 1% [of abortions in the U.S. occurred at 21 weeks of gestation or later in 2021](#), according to the latest federal data.

Arizona Supreme Court justice steps away from abortion ban case

An Arizona high court justice who once accused Planned Parenthood of committing genocide recused himself from a case involving the organization’s state affiliate. Justice **Bill Montgomery** initially dismissed Planned Parenthood’s request, saying he hasn’t expressed anti-abortion views since joining the bench in 2019, [Arizona Mirror](#) reports.

Montgomery faced criticism this fall after his statements against the group [resurfaced](#). In 2017, he wrote a Facebook post that said **Planned Parenthood** was responsible for “the greatest generational genocide known to man.”

Last week, Montgomery issued a new order about his recusal, saying new information involving the parties had come to light that warranted his dismissal from the case. He did not elaborate on the new information. **Planned Parenthood Arizona is a party in a legal challenge brought by an anti-abortion doctor calling for the revival of a near-total 19th century ban.** An 1864 statute bans most abortions unless the patient is neardeath and carries mandatory prison time for doctors who perform them. The Scottsdale-based conservative legal group [Alliance Defending Freedom](#) is representing Dr. Eric Hazelrigg before the Arizona Supreme Court, which is set to hear arguments in the case later this month.

Minnesota and New Jersey lawmakers push social welfare reform

Legislators in Minnesota and New Jersey are working on policies that could lessen child care costs and expand food benefits for those in need.

In **Minnesota**, a group of **Democratic-Farmer-Labor party members plan to unveil legislation next year that caps child care costs at 7% of household income for families making less than the 150% median state income**. The state has some of the highest child care costs in the country, [Minnesota Reformer](#) reports. On average, infant child care costs Minnesota households more than \$16,000 annually, according to the [Economic Policy Institute](#). The new program would build on current child care subsidies, and the state would reimburse providers for a portion of the costs.

In **New Jersey**, a lower chamber committee advanced a [bill](#) last week that would **allow online grocery orders and food delivery fees to be covered** by the federal Special Supplemental Nutrition Program for Women, Infants and Children (**WIC**). Another provision in the measure would let WIC participants use leftover funds to buy infant formula in various sizes, according to [New Jersey Monitor](#).

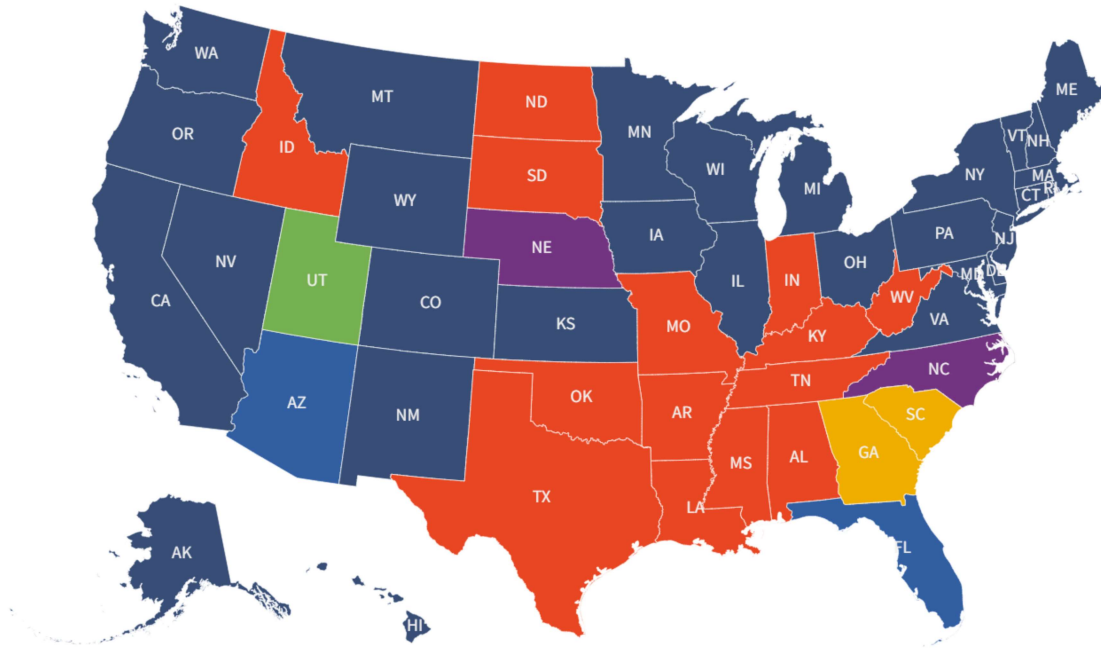
THE PULL *Commentary from Maryland*

“As President Biden looks increasingly vulnerable in 2024, and with the stakes of that election so high, are demographics still destiny? Can abortion, plus an anti-Trump message, carry the day for Democrats? Our very democracy may hinge on the answers to these questions.” — **Josh Kurtz**, founding editor, [Maryland Matters](#)

THE PULSE *Reproductive rights news across the country*

- A Florida abortion rights petition has collected nearly 70% of the verified signatures required by the state to qualify for the November 2024 ballot. ([Florida Phoenix](#))
- California launched a \$20 million program to diversify the reproductive health care workforce and help pharmacists expand their services. ([California Globe](#))
- Syphilis cases in Virginia have increased 22% over the past year, and the number of infants born with the infection is surging. ([Staunton News Leader](#))
- The family of a Brooklyn mother who died during childbirth last month is suing a New York City hospital. ([New York Daily News](#))
- Indigenous birth workers in Hawaii’s rural communities are facing obstacles due to new regulations. ([Reckon](#))

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 [@elishacbrown](#).

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