

News From The States

REPRODUCTIVE RIGHTS TODAY

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By Sofia Resnick and Elisha Brown



Experts have said that mifepristone, part of a two-drug regimen, has a record of safety and efficacy in more than two decades of use.

(Chris Coduto/Getty Images for UltraViolet)

Two of the key studies cited by plaintiffs and judges as evidence that medication abortion should be pulled from the market or heavily restricted have been retracted because of undeclared conflicts of interest and unreliable findings, academic publisher Sage announced Monday.

States Newsroom was the first to report last year that Sage had opened an investigation into some of the research featured prominently in the initial *Alliance for Hippocratic Medicine v. U.S. Food and Drug Administration* case, whose appeal goes before the U.S. Supreme Court

next month. The case is centered on mifepristone, part of a two-drug regimen used to terminate pregnancies and to manage miscarriages.

Sage [retracted three studies](#) published in its journal “Health Services Research and Managerial Epidemiology,” which were funded and produced by the Charlotte Lozier Institute, the research arm of the influential Susan B. Anthony Pro-Life America, which works to elect federal and state anti-abortion lawmakers.

“Following [Committee on Publication Ethics \(COPE\) guidelines](#), we made this decision with the journal’s editor because of undeclared conflicts of interest and after expert reviewers found that the studies demonstrate a lack of scientific rigor that invalidates or renders unreliable the authors’ conclusions,” reads a statement issued by Sage.

The lead author for each study was James Studnicki, Charlotte Lozier’s vice president and director of data analytics, who was on the editorial board of “Health Services Research and Managerial Epidemiology” at the time the studies were published.

“Upon submission, the lead author declared no conflicts of interest and all authors declared the same within each article; however, all but one of the article’s authors had an affiliation with one or more of Charlotte Lozier Institute, Elliot Institute, and American Association of Pro-Life Obstetricians and Gynecologists – all pro-life advocacy organizations that explicitly support judicial action to restrict access to mifepristone,” the Sage statement reads. One of those groups, [AAPLOG, is a plaintiff](#) in the Alliance v. FDA lawsuit.

Read more on [News from the States](#).

THE BEAT *States Newsroom coverage*



*A South Carolina woman and providers are suing to widen the state's six-week abortion ban to nine weeks
(Sean Rayford/Getty Images)*

Abortion providers in South Carolina filed a lawsuit Monday against the state over a six-week abortion ban, asking the courts to loosen the ban to nine weeks of pregnancy.

Planned Parenthood South Atlantic sued seven state officials on behalf of Taylor Shelton, who was unable to schedule an abortion within six weeks, leading her to make three trips to North Carolina for care, [South Carolina Daily Gazette](#) reports.

The lawsuit comes three months after the South Carolina Supreme Court [rejected](#) a request from providers who sought clarity from the justices on when embryonic activity occurs during pregnancy. In September, the court allowed a six-week ban to take effect.

In Shelton's case, **plaintiffs are arguing that the ban should be widened to nine weeks**, when a heart develops. Despite having an IUD, Shelton learned she was around four weeks pregnant in September after the high court's decision, according to the [complaint](#). She said she couldn't get an appointment at a South Carolina abortion clinic before the six-week cutoff.

Shelton said she initially was misled by an anti-abortion center in Charlotte, N.C. She ultimately traveled to Chapel Hill and Wilmington to get an abortion.

"This unwarranted hardship made me feel unbelievably frustrated and terribly confused," Shelton said in a statement. "The entire experience left me angry and quite frankly, traumatized."

A spokesperson for S.C. Republican **Attorney General Alan Wilson, one of the defendants, said he will fight to keep the current ban intact**. "We've vigorously defended this law in the past and will continue to do so," Robert Kittle, Wilson's communications director, told the Daily Gazette.

Florida Supreme Court set to review abortion petition



*Florida Supreme Court justices are set to hear arguments over a proposed abortion rights amendment Wednesday.
(Danielle J. Brown/Florida Phoenix)*

Abortion rights supporters and opponents are planning to protest outside the Florida Supreme Court Wednesday as the justices decide whether to approve the language of an abortion rights measure, allowing it to make the ballot this fall, [Florida Phoenix](#) reports. **Floridians Protecting Freedom**, the organization behind the initiative, is set to rally supporters outside the court.

“Our supporters are passionate about giving voters a chance to get government out of our private lives. We’ve had nearly a million petitions verified and they want a chance to vote,” campaign director Lauren Brenzel said via email. Brenzel’s group has been gathering signatures for the petition that would restore abortion access through fetal viability and later in pregnancy to maintain the mother’s health.

Meanwhile, **Florida Voice for the Unborn** plans to hold a press conference outside the court. “The purpose of the rally is to encourage and pray for Attorney General Ashley Moody’s legal team and our conservative justices at the most crucial hour in this vital case,” the group said in a statement. Moody, a Republican, is urging the high court to reject the proposal. She has called the ballot language vague and an attempt to “hoodwink” voters, according to the [Phoenix](#). Still pending at court is a decision on whether Florida’s 15-week ban violates state privacy rights.

Ohio congresswoman pushes federal crack down on

pregnancy criminalization



Ohio U.S. Rep. Joyce Beatty and other members of the Democratic Women's Caucus are urging federal officials to investigate pregnancy criminalization. Beatty referenced the case of an Ohio woman who was arrested after having a miscarriage last year. (Chip Somodevilla/Getty Images.)

A grand jury recently declined to indict [Brittany Watts](#), who faced charges in Ohio after having a miscarriage. U.S. **Rep. Joyce Beatty**, an Ohio Democrat, and other congressional lawmakers referenced Watts' story in a [letter](#) to the Biden administration last week urging stronger protections against pregnancy criminalization.

The **Democratic Women's Caucus** asked federal officials to "provide all legal and medical support available within your respective authorities to prevent the criminalization of pregnancies and pregnancy outcomes," [Ohio Capital Journal](#) reports. "One alarming example of this was the case of Brittany Watts, an Ohio woman who was unjustly charged with a crime related to her miscarriage," the letter stated.

In October, before Ohio voters approved a reproductive rights constitutional amendment, Watts was arrested and charged with abuse of a corpse after she passed her fetus in a toilet, according to [The New York Times](#). **Watts was around 22 weeks pregnant when she started to miscarry after visiting the hospital twice without receiving an abortion. She returned to the hospital for a dilation and curettage procedure, which removed the placenta; health care staff later told the police about Watts' miscarriage, the Times reported.**

Beatty and other caucus members said it's important to "continue to make sure that we don't continue to have Brittany stories." Sixty-one people faced pregnancy-related charges around the country from 2000 to 2020, according to the legal reproductive rights group [If/When/How](#).

Moving forward, **congressional Democrats want federal agencies to investigate prosecutions of pregnant people and have stronger oversight over patient privacy laws.**

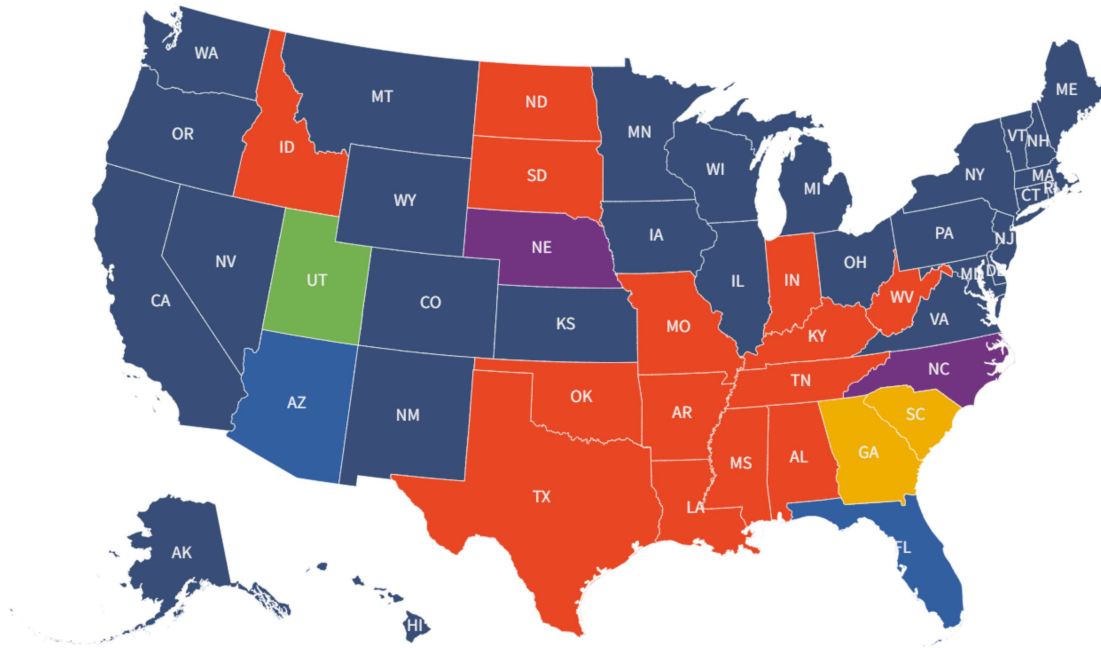
THE PULL *Commentary from West Virginia*

“While people are clutching their pearls over children reading books that detail sexual acts that don’t result in babies, some members of the Senate want a video sponsored by an anti-abortion group to be required viewing for eighth and 10th grade students in West Virginia.” — **Leann Ray**, editor-in-chief, [West Virginia Watch](#)

THE PULSE *Reproductive rights news across the country*

- A Maine House committee advanced a reproductive rights proposal. ([Maine Morning Star](#))
- California public universities are required to provide medication abortions, but information on the resource can be hard to find or nonexistent. ([LAist](#))
- A Tennessee Republican who co-sponsored the state's ban is drafting legislation that would lessen criminal penalties for abortion providers. ([NPR](#))
- Mississippi GOP lawmakers have introduced bills that would ban abortion pills, limit abortion-related advertising and prosecute people who help minors get abortions. ([Mississippi Free Press](#))
- Abortion rights groups indicated a need to codify abortion access beyond the fetal viability standard set by Roe v. Wade, but the organizations declined to criticize President Joe Biden’s “Restore Roe” campaign messaging. ([Vox](#))
- U.S. House Republicans want to include a rider in the Agriculture Department and Food and Drug Administration spending bill that would ban the delivery of abortion pills through the mail. ([Politico](#))

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 X [@elishacbrown](#).

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