

News From The States

REPRODUCTIVE RIGHTS TODAY

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By [Elisha Brown](#)



*The New Mexico Supreme Court is reviewing the legality of local ordinances that were drafted with the help of anti-abortion activists from Texas, according to public records.
(Patrick Lohmann/Source New Mexico)*

A Texas anti-abortion activist and the state's former solicitor general persuaded New Mexico officials in several municipalities to pass ordinances restricting abortion, records show.

Mark Lee Dickson, founder of the "Sanctuary Cities for the Unborn" initiative, and **Jonathan Mitchell** — a lawyer who [represented](#) former President Donald Trump in a case the U.S. Supreme Court decided Monday, allowing him to stay on Colorado's [presidential primary](#).

[ballot](#) — **lobbied local governments in rural parts of the state to pass anti-abortion ordinances**, despite the pushback from some officials, [Source New Mexico](#) reported.

Emails obtained through public records request show that Dickson and Mitchell pitched ordinances to officials in Clovis and Hobbs that stated residents cannot violate the [Comstock Act of 1873](#), a federal law that banned the mailing of abortifacients.

For instance, the Clovis city charter requires the city attorney to prepare all ordinances. But lawyer Jared Morris told the Source he had “zero involvement” in writing the city’s anti-abortion ordinance.

“The Mayor was told last night that all changes to the ordinance, even the most minute, must be approved by Jonathan Mitchell to maintain our free defense,” Morris wrote in an Oct. 13, 2022 [email](#) to commissioners.

Clovis Commissioner Megan Palla soon raised concerns about Mitchell and Dickson’s motives. “I feel like a pawn in a game, but I don’t know the rules of the game and what the end result they are looking for,” Palla [wrote](#) on Oct. 18, 2022.

According to Source, “**The emails also show influence and control:** Mitchell required any changes to the Clovis ordinance be approved by him, he was [providing](#) free legal advice to Eunice about amending the ordinance, and Dickson directed the language of the Hobbs ordinance.”

Ed Cobb, the mayor of Hobbs, said that it’s standard for officials to receive outside legal counsel. “That doesn’t necessarily mean that we copy and paste it, but it’s not prohibited,” Cobb said.

The strategy deployed by Dickson and Mitchell, with some variation among ordinances, also worked in Eunice, Edgewood and Roosevelt and Lea counties. Some proposals allowed people to sue for violations, while others specifically targeted abortion clinics.

But **the ordinances conflicted with New Mexico [legislation](#) that gives state lawmakers higher power over reproductive health care laws**. A case concerning the legality of the ordinances is before the state Supreme Court.

Democratic Attorney General **Raúl Torrez** urged the justices to throw out the anti-abortion ordinances during [oral arguments](#) for the case in December. Regardless of the outcome, Mitchell contends that the Comstock Act supersedes New Mexico’s abortion laws.

“From my standpoint, I want to get Comstock to the Supreme Court as quickly as possible,” Mitchell told [The Nation](#) in April 2023.

THE BEAT *States Newsroom coverage*

Democrats slam Oregon Republican’s IVF resolution

as ‘disingenuous’



U.S. Rep. Lori Chavez-DeRemer, an Oregon Republican who is seeking reelection this year, said she's committed to protecting access to in vitro fertilization. But she has yet to co-sponsor a House bill that would safeguard IVF.

(Anna Moneymaker/Getty Images)

U.S. Oregon Rep. **Lori Chavez-DeRemer** and two other Republicans up for reelection this fall introduced a [resolution](#) — non-binding proposals that have [no effect](#) on the law — last week that says the House of Representatives supports in vitro fertilization. Chavez-DeRemer's Democratic opponents and national party groups criticized the action, [Oregon Capital Chronicle](#) reported.

State Democratic Rep. **Janelle Bynum** said on [social media](#) that IVF is “under attack because Republican anti-choice politicians like my opponent, Rep. Lori Chavez-DeRemer, would rather posture for political points than actually protect our access to reproductive freedoms.” Dan Gottlieb, Democratic Congressional Campaign Committee spokesperson, said in a [press release](#) that voters “can see right through” the congresswoman's “disingenuous move.”

Chavez-DeRemer's communications director Aaron Britt said in a statement to the Capital Chronicle that she is working to explore how to protect IVF at a federal level, along with urging state lawmakers to pass parallel legislation. **An effort to safeguard infertility treatments failed in the U.S. Senate last week** after U.S. Sen. [Cindy Hyde-Smith](#), a Mississippi Republican, blocked the bill. The House [version](#) is awaiting a committee hearing, but Chavez-DeRemer has not endorsed the proposal as of Monday evening.

Arizona anti-abortion campaign encourages voters to oppose abortion rights petition



*Protesters attended the annual March for Life rally in Phoenix, Arizona on March 1, 2024. The state has a 15-week abortion ban, but a petition is circulating that could widen access.
(Gloria Rebecca Gomez/Arizona Mirror)*

The anti-abortion organization March for Life held its annual rally in Arizona over the weekend, protesting against a proposed abortion rights constitutional amendment, [Arizona Mirror](#) reported. Last year, reproductive rights groups launched a bid to restore access to abortion — currently banned after 15 weeks — up to fetal viability and later in pregnancy to preserve a patient’s physical or mental health. As of January, **Arizona Abortion Access Act** has collected more than [250,000 signatures](#) of the nearly 400,000 needed to make the November ballot.

Abortion opponents started the **It Goes Too Far campaign** to encourage Arizona voters to “decline to sign” the petition. Olivia Escobedo, the group's political director, warned that an abortion rights amendment would be hard for lawmakers to change: **The 1998 Voter Protection Act makes it nearly impossible to skirt any voter-approved ballot measures.** “What we need to do is fight this, because the legislature, if this passes, will have no power to overturn it,” Escobedo said. “We have to talk to every single voter.”

Indiana averaged 15 abortions monthly under ban, according to state data

There were 46 abortions in Indiana between Oct. 1 and Dec. 31, a monthly average of 15, according to the state Department of Health. **The report is the first since the state’s near-**

total abortion ban took effect in August. Comparatively, there were nearly 2,000 abortions during the fourth quarter of 2022.

Abortion is illegal in Indiana with exceptions for rape, incest, fatal fetal anomalies and if the mother's health is at risk, [Indiana Capital Chronicle](#) reported. Under the ban, abortions must be performed in hospitals.

Twenty-two of the abortions provided last fall stemmed from fetal anomalies, 21 were performed because the patient's health and life were at risk, and three were due to rape or incest. Most of the abortions were surgical.

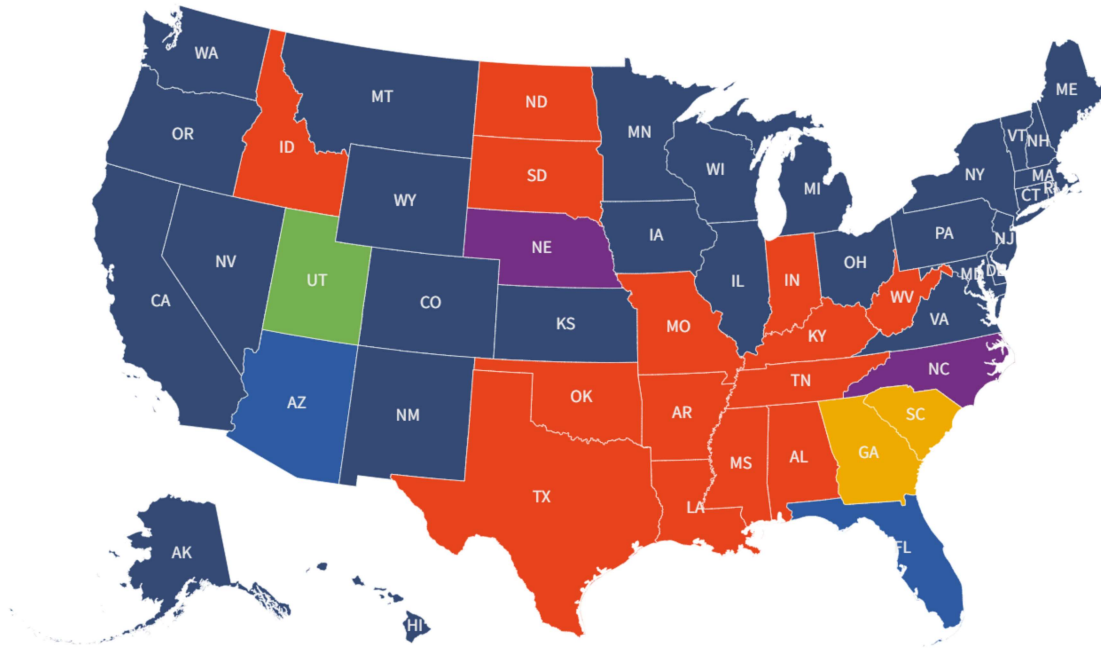
THE PULL *Commentary from Florida*

"Alabama's justices might want to read up on how humans develop. A born human has between 20 and 30 trillion cells (pending on physical maturity), while that twinkle-in-daddy's-eye blastocyst can claim only around 200. Yet they persist in saying that little smidge of matter should have the same rights as the walking brooders we call 'women.'" — **Diane Roberts**, contributing columnist, [Florida Phoenix](#)

THE PULSE *Reproductive rights news across the country*

- The Nebraska Democratic Party censured state Sen. Mike McDonnell because he voted to restrict abortion and gender-affirming care. ([Nebraska Examiner](#))
- North Carolina Lt. Gov. Mark Robinson, the top Republican gubernatorial candidate, said he wants to limit abortion to six weeks of pregnancy in the state. ([NC Newslines](#))
- South Dakota senators approved legislation that would make officials create a video explaining the state's near-total abortion ban, which allows the procedure if the mother's life is at risk. ([South Dakota Searchlight](#))
- A 1986 Louisiana law banning the destruction of embryos created during IVF led infertility clinics to ship and store embryos out of state, a costly practice that continues today. ([The Washington Post](#))
- The first over-the-counter birth control pill will be available in stores by the end of the month. ([CBS News](#))

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



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