

BATTLEGROUND

A FILM BY CYNTHIA LOWEN

DISCUSSION GUIDE

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About the Film



SYNOPSIS

Battleground is an urgently timely window into the intersection of abortion and politics in America, following three women who lead formidable anti-abortion organizations to witness the influence they wield. As the nation faces the end of Roe, the film also depicts those on the front lines of the fierce fight to maintain access.

Film Synopsis

This June, the Supreme Court overturned Roe versus Wade, ending 50 years of constitutional protections for abortion in the United States. How have we arrived here, when 7 in 10 Americans support access to legal abortion?

Battleground answers this question, following three women who lead formidable anti-abortion organizations in their single-minded quest to overturn Roe v. Wade, as they face down forces equally determined to safeguard women's access to safe and legal abortions.

Who are anti-abortion people? What are they driven by, what do they believe, how do they operate and what are their goals? **Battleground** is a never-before-seen window into the anti-abortion movement with many surprises: they are women, young people, even Democrats. With close access, the film shows how the anti-choice movement is strategizing and organizing, and their determination to overturn Roe at any cost. As their power and influence propels the Supreme Court sharply right, and states race to enact abortion bans, the film also depicts those on the front lines of the fierce fight to maintain access.

In the wake of Roe, 26 states stand poised to ban abortion, catalyzing unprecedented legal, medical and social upheaval. **Battleground** is required viewing for anyone with a stake in the future of abortion in America.



Letter from the Filmmaker

In June of 2022, the Supreme Court ended 50 years of constitutional protections for abortion in America with their decision on Dobbs versus Mississippi, which overturned Roe versus Wade. In the absence of Roe, we have seen a tsunami abortion bans passed by states from Mississippi to Ohio. Even before Roe was overturned, research shows that the aggressive antiabortion laws passed over the last decade forced nearly 1 in 10 people to travel out of state to get abortion care; these laws far disproportionaly impact people of color and other marginalized groups, long denied equitable access to healthcare. It is now impossible to overstate the healthcare crisis the end of Roe is triggering as states where abortion remains legal are inundated by patients from anti-abortion states, and those who cannot afford such travel will remain pregnant against their will.

How have we arrived here when 7 in 10 Americans support access to abortion and 1 in 4 women will terminate a pregnancy? I began this film with genuine curiosity: how has the anti-abortion movement been so successful at advancing their goals, when they are so blatantly outnumbered? In filming over the most pivotal year for abortion since Roe was decided, I discovered an anti-abortion movement that is organized, motivated, politically savvy and willing to go to great lengths to get what they want.

The creative team has met the challenges of this film with nuance and journalistic integrity, depicting its subjects' views accurately while applying a sharp critical lens. **Battleground** respects that people have come to their deeply-held positions on abortion from diverse backgrounds, experiences and beliefs. Viewers from all sides will probably strongly disagree with some of the voices in the film, and that's OK - hearing from people with different points of view is a healthy part of our democracy. However, imposing one's personal beliefs on others' healthcare decisions through gerrymandering, stigma, voter-suppression, misinformation and other methods is not.

Battleground is fundamentally the story of how a minority of people are manipulating the levers of power to subvert our democracy and advance their agenda against the will of the majority. While the film depicts the clash of abortion and politics in America, it is really about the erosion of our democratic systems and the disintegration of the separation between church and state.

The team behind this film are unwilling to accept an America where women's and pregnant people's lives are gambled with for political gain. If people do not understand the motivations and machinations that have created this situation, we will be unable to change it. That means fostering civic engagement at all levels, shifting culture, engaging the next generation with the same vigor as the anti-abortion movement is and exposing the detrimental outcomes when abortion is politicized.

As the producer and writer of Bully and the director of Netizens, I have a record of creating films that transcend political affiliations and catalyze measurable change. **Battleground** is a unique opportunity to unleash a national dialogue about the future of American democracy and abortion rights - and inspire audiences to effective and focused action.

Cynthia Lowen



Meet the Creative Team





CYNTHIA LOWEN

Director

Cynthia Lowen is an Emmy-nominated filmmaker and award-winning writer whose work uses the power of story to catalyze meaningful change. Cynthia is the director and producer of 'Netizens' (HBO), a feature documentary about women and online harassment. "Bristling with rightful fury," says Teen Vogue of the film, 'Netizens' follows three women as they confront digital abuse and strive for justice online. Cynthia also spearheaded the 'Netizens' Impact Campaign, working with tech companies and advocacy partners including the Anti-Defamation League, the Cyber Civil Rights Initiative, Facebook, Microsoft, the National Network to End Domestic Violence and others to develop tools to reduce online harassment and foster constructive digital citizenship.

Cynthia is also the producer and writer of 'Bully' a feature documentary following five kids and families through a 'year in the life' of America's bullying crisis. 'Bully' was nominated for two Emmys, shortlisted for the Oscars, screened at The White House and received a DuPont-Columbia Award for Excellence in Journalism. The filmmakers also created The 'Bully' Project, a multi-partner impact campaign engaging over 5 million students to end bullying and transform their schools and communities. Partners include Adobe, the American Federation of Teachers, Autism Speaks, BBYO, the Cartoon Network, DoSomething.org, Facing History and Ourselves, GLSEN, JPMorgan Chase, Human Rights Campaign, the National Center for Learning Disabilities, Sears, the United Federation of Teachers and many more.

Cynthia has held residencies at MacDowell, the Banff Center, Yaddo, Hedgebook, the Berlinale Talent Campus, the Fine Arts Work Center in Provincetown among others, and received the Hedgebrook Women Authoring Change Fellowship from William Morris Entertainment. She has been a member of the Producers Guild of America since 2014.



REBECCA STERN

Producer

Rebecca Stern directed 'Well Groomed', which premiered at SXSW and was released by HBO in 2019. She is the producer of 'Tre Maison Dasan', a documentary exploring the lives of children affected by parental incarceration (Independent Lens PBS 2019) and the documentary 'Snowy' (Sundance 2021). She is the co-producer of 'Netizens' with Cynthia Lowen and the associate producer of 'the bomb' (Netflix), an innovative installation and film. She started in documentary film as the production coordinator of Academy Award-nominated 'Cartel Land' (Sundance, A&E). Rebecca is an Impact Partners Producing Fellow, a NYC Regional Representative of the Documentary Producers Alliance (DPA) and a pga accredited producer.



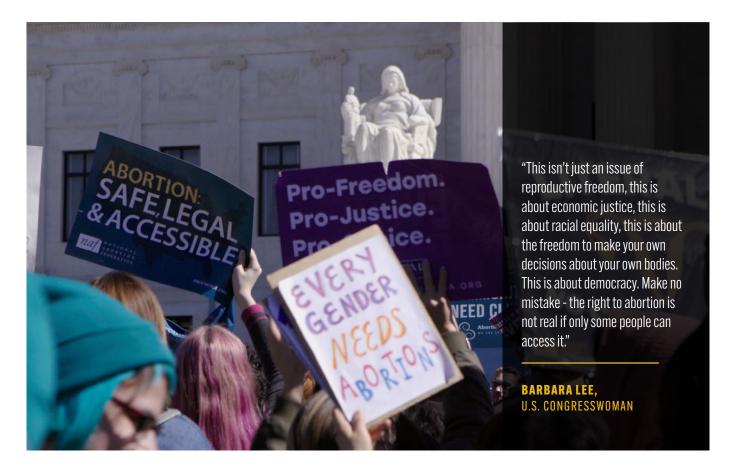
STEFFIE VAN RHEE

Co-Producer

Steffie is a Dutch documentary filmmaker and producer, who graduated from The New School's Documentary Media Studies program in 2016 with the short doc 'A Life Before This,' about the killing of unarmed teen Ramarley Graham by a NYPD officer. She is a 2020 Impact Partners Producing Fellow and the associate producer of 'Netizens' (Tribeca, Hot Docs 2018). Recently she was the co-producer of the Netflix original documentary series 'Race: Bubba Wallace' and the producer of short dating app thriller 'Swipe' which was shortlisted for a 'Gouden Kalf', the Dutch equivalent of an Oscar.



Using This Guide



The suggested activities and discussion prompts within this guide make the issues in **Battleground** approachable to a college audience, whether the film is screened campus wide, within student groups, or individual classrooms. With digestible, civics based background information and resources, the guide allows students to widen their focus to understand the intersectional forces in American democracy and society that contributed to this historic moment. Activities are written with an emphasis on personal reactions and stakes, so viewers will feel engaged and affected by the material. Each of the five themes can be used alone, or all five can be combined for a more robust understanding. A *Reflection / Extension Activity* is included at the end of most themes; while not mandatory, these spaces for reflection can help students consolidate their thoughts.

Potential event goals include:

- Educate and inform community members about what they can do to support abortion access locally
- Foster critical dialogue about our democracy and movement-building around long term advocacy for abortion rights in the United States



Tips for Facilitation

Battleground raises issues that may spark challenging conversations. As a facilitator, you can create an atmosphere in which people with diverse perspectives feel safe, encouraged and respected, making it more likely that they will be willing to share their ideas openly and honestly. Here's how:

Preparing yourself and your audience:

- 🏘 🕻 Identify your own hot-button issues. Try to facilitate in a neutral way.
- Be knowledgeable so you can constructively correct misstatements of fact.
- Delegate. You may find yourself taking on several roles for a single event, including host, organizer—even projectionist. Try to delegate to avoid distractions during the discussion.
- 🌾 Know your group. Is your group new to the issue of abortion or have the members of the group discussed it before?

Before facilitating a discussion:

- As you watch the film beforehand, think about what questions and prompts might be most meaningful and effective for your community.
- Think about who would be best to facilitate or co-facilitate a discussion. Reach out to local and online resources to see who else might be available to join the discussion. Tip: Local journalists make great moderators!
- Set specific goals to help you design a powerful experience for your community and then refresh yourself on your goals prior to the discussion.



"[The anti-abortion movement are] willing to forgo traditional norms around how power and checks and balances operate in a democracy. That is the thing we need to be most afraid of. That is the reason why we have to see this film. I can't think of anything more fascist right now than taking complete control over someone's body. And that is exactly what they said in this film - your body is not your own."

ALEXIS MCGILL-JOHNSON, PRESIDENT AND CEO OF PLANNED PARENTHOOD



Potential Partners

As you're crafting your event, we encourage you to connect with local chapters of organizations who can provide you with the latest information and actions related to abortion access, laws and advocacy in your area. Screenings of the film are also a powerful catalyst for conversation with local civic engagement organizations, get-out-the-vote efforts, healthcare providers, and policymakers.



- 🏘 🕺 A representative from your local abortion clinic, abortion fund, direct-support organization
- 🎻 A healthcare provider
- 📣 🕻 A local legislator or policymaker
- 🎻 An abortion storyteller somoene who is comfortable sharing their experiences.

Resources for Your Event

We ask that you share our online survey with your audience after the screening. To aid in the promotion of your event, we have created a promotional kit which includes a press kit, poster and photos from the film, biographies and headshots of the film subjects and the filmmaker. Download the screening resource kit here.

If your screening is open to the public, please tag our social media handles in your promotion - we'd love to amplify your event on our channels: <u>Twitter | Facebook | Instagram</u>





How to Talk About Abortion

When hosting your event and crafting your promotional materials, here are some quick tips for using inclusive and destigmatizing language and avoiding misinformation.

Quick Tips from Avow Texas

Anti-abortion speakers use the word "abortion" 4 times more than pro-choice advocates do, but often in a way that stigmatizes it. We encourage direct and non-stigmatizing language when talking about abortion to normalize open conversations about it.



More resources for messaging at your event:

- 🖗 🖞 <u>Let's Talk About Abortion Toolkit</u> from Avow Texas
- 🖗 <u>Resource from Physicians for Reproductive Health</u>
- 🌮 Trans Journalists Association
- 🐠 <u>This video</u> from We Testify and Supermajority





Taking Action

We recommend presenting follow-up actions at your event at varying levels of time and commitment.

Here are three types of actions you can take to support abortion access:

DONATE:

<u>Abortion funds</u> remove financial and logistical barriers to abortion access, including medical costs, transportation and childcare - find your local abortion fund through the National Network of Abortion Funds. Support <u>Planned</u> <u>Parenthood</u> and <u>the Center for Reproductive Rights.</u>

SHOW UP:

<u>Join Bans Off Our Bodies</u> to mobilize locally and stay informed about ongoing actions with <u>Liberate Abortion</u>, a coalition of 150 reproductive justice and rights organizations.

VOTE: Know where your representatives stand on abortion rights, how they plan to secure rights locally in the wake of the Supreme Court's decision, and head to the polls when abortion is on the ballot.

Stay involved on an ongoing basis by connecting with your local reproductive justice organizations and action groups. Consider an ongoing volunteer or donation role based on your availability and resources.



Featured in Film



MARJORIE DANNENFELSER

President, Susan B. Anthony List

Marjorie Dannenfelser is the president of the Susan B. Anthony List, a powerful anti-choice lobbying organization with a mission to get anti-abrortion leaders elected to office. Dubbed "Trump's abortion-whisperer," Marjorie went from being leader of the pro-choice Republicans at Duke to leading one of the largest anti-choice organizations in the country.

'Battleground' witnesses how the SBA List has spent the last decade focused on building an antichoice Congress and transforming the Federal judiciary, as she becomes a key player in advancing Amy Coney Barrett to the Supreme Court.



KRISTAN HAWKINS

Founder, Students for Life of America

Kristan is the founder and president of Students for Life of America, the largest anti-abortion youth organization in the U.S. with chapters in middle schools, high schools, colleges and medical schools in all 50 states. Valedictorian of her high school and the daughter of blue dog Democrats, she wanted to become an aeronautical engineer until an extra-credit volunteering gig landed her at a "crisis pregnancy center."

'Battleground' witnesses as Kristan seeks to convert young people like herself to the anti-abortion position and attempts to build a "pro-life generation" who will be the foot soldiers of a post-Roe America.



TERRISA BUKOVINAC

Founder, Pro-Life San Francisco

Terrisa Bukovinac represents a very different facet of the pro-life movement: a Democrat and atheist she's the founder of Pro-Life San Francisco. Wearing her outsider status as a badge, she wants to reframe anti-abortion as consistent with non-religious, progressive values.

Battleground follows as Terrisa becomes increasingly bold in her anti-abortion actions and determination to overturn Roe, finding herself to be odd political bed-fellows with her Republican counterparts, who see her as a bridge to typically pro-choice communities.



BATTLEGROUND DISCUSSION GUIDE



ALEXIS MCGILL JOHNSON

President and CEO of Planned Parenthood Federation of America

Alexis McGill Johnson is the president and CEO of Planned Parenthood Federation of America and the Planned Parenthood Action Fund. Alexis is a champion for social and racial justice, a respected political and cultural organizer, and a tireless advocate for reproductive freedom.

Battleground features Johnson's response to the unprecedented attack on reproductive rights and the tactics of the anti-abortion movement.



NANCY NORTHUP

President of the Center for Reproductive Rights

Nancy Northup is President and CEO of the Center for Reproductive Rights, a global human rights organization whose litigation and advocacy work have transformed how reproductive rights are understood by courts, governments, and human rights bodies.

Battleground witnesses the Center for Reproductive Rights fight a major Supreme Court case that attempts to overturn Roe v. Wade.



SAMANTHA BLAKELY

Planned Parenthood Services Coordinator

Samantha Blakely was brought up in the conservative Church of Christ and was one of the only women to speak on the floor of the Alabama senate to oppose the state's total abortion ban, telling her own story of becoming pregnant after a rape.

Battleground follows as Samantha becomes a Planned Parenthood Storyteller, sharing her experiences with groups in the South, where stigma remains extremely high.



JENNA KING

Former Planned Parenthood Alabama State Director

Jenna King was the Alabama State Director for Planned Parenthood Southeast, and she is currently attending law school. The daughter of a Southern Baptist pastor, and a two-time runner-up for Miss Alabama, Jenna came out publicly about having an abortion at 17.

With deep ties to the Alabama political establishment, Jenna uses her background to shatter the stigma around abortion in the South, and lobby for pro-choice policies in Alabama.





The Fight for the Future of Abortion in America: What You Need to Know

Battleground bears witness to the tactics used by the anti-abortion movement to end 50 years of constitutional protections for abortion in the United States. We also see many of the broader structural and societal factors that the movement exploits to advance its goals. The following discussion themes, background information, suggested panel ideas and resources are intended to provide a jumping off point for deeper reflection and dialogue after viewing the film.

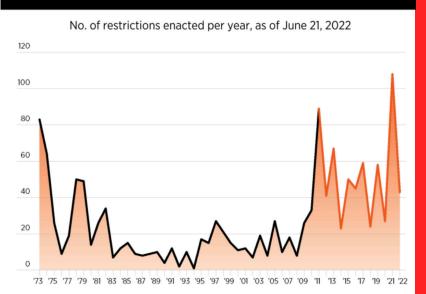
The film will prompt different questions and points of discussion - and different communities will be drawn to different facets of the film. With this in mind, the direction and flow of the conversation will be unique to every event, audience and community. The discussion prompts below are intended to be a starting point to spark ideas and questions that can resonate with the communities you are hoping to engage with your event.

How We Got Here

GUTTMACHER INSTITUTE

US states have enacted 1,381 restrictions since *Roe v. Wade* was decided in 1973

46% of those restrictions were enacted in the last decade alone



ROE V. WADE

The landmark Supreme Court decision, enacted in 1973, that ruled that the U.S. Constitution granted the right to have an abortion without undue restriction by the government. It cited the 14th amendment's fundamental right to privacy as the Constitutional basis.

According to the Guttmacher Institute, "U.S. states have enacted 1,381 abortion restrictions since Roe v. Wade was decided in 1973. [TERMS OF USE note on image: The Guttmacher Institute encourages you to share this infographic freely to ensure that the debate is informed by facts, not misinformation.]



TIMELINE: Abortion Rights in the United States

Here's how anti-abortion politicians have tried to undercut Roe v. Wade and access to safe, legal abortion over the past decade.

2010

Conservative Republicans sweep many key Congressional districts and overtake state legislatures in the midterm elections. In a redistricting year, they enshrine their electoral advantage with gerrymandered maps.

2011

The movement to defund Planned Parenthood begins as Wisconsin Governor Scott Walker amends his state budget to deny funds to local Planned Parenthood clinics.

A wave of laws by newly elected anti-abortion politicians attempt to limit safe, legal abortion and criminialize health care providers who perform abortions. 92 laws are passed nationwide, including TRAP laws.

2013

Republican members of Congress attempt to enact a 20-week abortion ban bill. It fails to pass. 26 states implement 70 new anti-abortion laws.

Despite widespread public opposition, Texas politicians and Governor Rick Perry enact House Bill 2, a law that places so many restrictions on abortion clinics and providers that half of the clinics in state of Texas are forced to close.

TRAP Laws Definition:

TRAP stands for Targeted Restrictions on Abortion Providers. Opposed by the AMA and ACOG, these are laws that mandate hospital admitting privileges for abortion providers and restict where abortion clinics can be located. They are enacted under the guise of improving patient outcomes, but they often delay care or force clinics to close.

2015

Three people are killed by a shooter at a Colorado Planned Parenthood. The shooter is motivated by false videos being circulated that claim that Planned Parenthood profits off of aborted fetuses.

The U.S. House of Representatives launches a Congressional Investigation into the misleading videos. They find no evidence of wrongdoing on the part of Planned Parenthood.



2014

After another midterm victory by anti-abortion state and Congressional politicians, 15 states codify 26 new abortion limits. 13 states now have 20 week abortion bans.



2016

Supreme Court Justice Antonin Scalia dies. He is staunchly anti-abortion. Obama quickly nominates Merrick Garland to succeed him, but Senate Majority Leader Mitch McConnell refuses to hold a confirmation hearing until after the presidential election.

At the same time, as Trump is running for president, he makes the appointment of anti-abortion judges a centerpiece of his campaign, winning the support of Christian conservatives and evangelical voters.

2018

Conservative judge Brett Kavanaugh is confirmed to the Supreme Court despite accounts of sexual assault. He also claims during his lengthy confirmation hearings, that he will follow the precedent set in Roe v. Wade. He later reverses course and votes to overturn it.

2019

Georgia Governor Brian Kemp enacts a 6 week abortion ban, and Missouri follows suit later in the week. This is a stage of pregnancy before most people know they are pregnant.

Alabama codifies a near total ban on abortion, with no exceptions for rape or incest. The drafters of the legislation state that their strategy is to enact a ban that challenges Roe v. Wade in order to reach the Supreme Court. These drastic steps are a departure from the incremental anti-abortion playbook.



2017

Newly elected President Trump reinstates the global gag rule, a law that restricts global organizations funded by US global health assistance from educating their clients about abortion services, even within their own countries.

Trump nominates conservative Neil Gorsuch to replace Scalia on the Supreme Court. He claims during his confirmation hearing that Roe v. Wade is settled legal precedent, but does not support abortion rights fully.

19 states enact 63 new restrictions on abortion. In some states like lowa and Wisconsin, these restrictions lead to more clinic closures and many citizens being without an abortion provider.

2020

Anti-abortion politicians use the pandemic restrictions on 'non-essential' medical procedures in order to ban or restrict abortions and shutter clinics.

Ruth Bader Ginsburg dies at the age of 87. Trump quickly nominates Amy Coney Barrett, a conservative judge, to the Supreme Court. Trump has now nominated three conservative Supreme Court justices and 234 Federal judges, fulfilling his campaign promise to the religious right.

Trump loses the 2020 Presidential election to Joe Biden.



2021

Texas passes Senate Bill 8 which bars abortion after cardiac activity is detected, generally around 6 weeks, and deputizes private citizens to sue health care providers that perform abortions or anyone who aids someone seeking abortion access. Senate Bill 8 provides up to \$10,000 'damages' to anyone who successfully sues an abortion provider. The Supreme Court declines to block the law.

Across the country, attacks on abortion multiply at the state level, with many politicians emboldened by the conservative majority on the Supreme Court and the 234 federal judges appointed by the Trump administration.

State legislations enact over 100 abortion restrictions, including many that criminilaize patients, healthcare providers, or those who aid them.







Roe v. Wade is overturned by the U.S. Supreme Court in a 5-4 ruling. The Supreme Court passes the regulation of abortion rights to the states.

Interested in learning more about the history of abortion access in the United States? Check out this <u>visual timeline from ABC News</u>, which shares key moments going back to the 1800s.

Suggested Panel Concepts

- * The Strategy of Incremental Change: how has it worked for and against abortion rights?
- 🖇 Suggested Reforms to the Judicial Appointment Process



② Suggested Discussion Questions

- How have abortion rights changed over the course of your lifetime? What about other members of your family, such as your parents or grandparents?
- Do you remember when you first learned about abortion? How was this information presented to you, and by whom? How does how we learn about abortion care affect our personal beliefs?
- 🏘 What state laws have been enacted in your area? How have those laws affected you or your loved ones and community?
- Conspiracy theories and the spread of misinformation are strategies used to great effect by the anti-abortion movement. Have you seen and recognized factually incorrect information about abortion, either on social media or elsewhere?
- Do you see any spots ripe for reform in the above timeline? For instance: should Supreme Court appointments be for life? How can more voters be motivated to turn out for midterm elections?

🚟 Watch the Clip

49:15-51:00 - Nancy Northup, President, Center for Reproductive Rights and Alexis McGill, President Planned Parenthood Federation of America discuss the 'tyranny of the minority'rights.

🖗 Activity

Form into small groups, assign each group one of the following questions. The group should attempt to form a consensus on their answer to the question through informed debate. Have each group read their question and defend their answer to the whole group when finished.

- Choose a moment from the timeline that is surprising to you or seems to contradict public opinion in this state or time period.
- 🎻 Pinpoint a spot in the timeline that seems like a crucial turning point for anti-abortion policies. Explain your choice.
- Do these laws and limits reflect the public will, in your opinion?



Q Dive Deeper: Resources for Further Learning

Battleground shows how anti-abortion forces have advanced their goals, in spite of the fact the majority of Americans think abortion should be legal. Now is the time to get involved to support abortion access.

📣 Keep Our Clinics

Support local abortion clinics, a crucial link in reproductive access.

📣 🖞 <u>Liberate Abortion</u>

A multi-tactical coalition of more than 150 organizations who have come together to expand power, grow compassion, provide education, and build a groundswell of support for available, accessible and free abortion access across the United States. Join the Liberate Abortion Caravan across the 5th circuit in June: sign up here.

Mational Network of Abortion Funds

Support funds and <u>learn about their demands</u> toward a future where all people have access to abortion without shame or stigma.

Planned Parenthood: Bans Off Our Bodies

Stay up-to-date with local actions by signing up for texts from the Bans Off Our Bodies campaign - and see this searchable map to find local events, trainings, protests, and meet ups.

Practical Support Orgs

Find your local practical support organization and donate or volunteer to help out.

At Shout Your Abortion

A decentralized network of individuals working to normalize abortion and elevate safe paths of access all over the country using storytelling and collective media.

Sister Song

The national women of color reproductive justice coalition, strengthening and amplifying the collective voices of indigenous women and women of color to achieve reproductive justice by eradicating reproductive oppression and securing human rights.



Levers of Power



How can a minority of voters exploit the structure of the United States government to advance their agenda? Who is making decisions about abortion laws on a federal, state and local level? How do gerrymandering, the influence of conservative religious organizations on policymakers, and the power of state and federal judges intersect to the advantage of the anti-abortion movement?

Suggested Panel Concepts

- 🎻 Pathways to Achieving True Representation in America
- 🎻 Intersecting Structures of Oppression: Gerrymandering, Racism and Reproductive Justice



Breaking Down Governmental Power Structures

The Legislative Branch (Congress) is made up of the Senate and the House of Representatives. The Senate consists of 100 Senators, two elected from each state. The House consists of 435 elected members, divided amongst the states based on their populations. In order for a bill to become law, both the Senate and the House must pass a bill and send it to the President for their signature.

When it comes to the Senate, a less populous state like Wyoming (580,000 people) will have the same number of senators as a hugely populous state like California (39 million people). This gives these less populous rural states which tend to be "red" and their citizens, who tend to be more conservative, a disproportionate amount of power and representation.

Under the 10th Amendment, state governments have all the powers not expressly granted to the Federal government. Some states choose to exercise these vast powers forcefully, including with issues of public health like abortion. State governments decide budgets, pass laws, and enact restrictions on the residents of their states, yet their decisions are often not publicized as much as Federal politicians. In fact, the fight for abortion access now rests squarely in the states. It will be state legislators who work to enshrine abortion access or threaten it and state supreme courts that hear cases related to bans. However, due to extensive and coordinated gerrymandering efforts, the state legislators are not fairly and equally elected and often do not represent the will of their constituents.







SPOTLIGHT ON: GERRYMANDERING

The practice of drawing political districts to favor one party by packing voters with the same party affiliation into one district or dividing them into many districts to dilute their voting power. Gerrymandering often results in oddly shaped districts and got its name from a politician who drew a district that looked like a salamander (Source: <u>Brennan Center for Law and Justice</u>).

The shift of state legislatures to disproportionately favor Republicans began in 2010. After a string of defeats, Republican strategists created a plan called project Redmap whose intention was twofold (Source: <u>Redistricting Majority Project</u>). Redmap funneled money into Republican state legislative races and then sought to control the drawing of new districts in a census year to consolidate that newly won power (Source: <u>New York Times</u>). This strategy worked. Democrats have won the popular vote in five out of the six most recent presidential elections yet only control 14 state legislatures (Source: <u>New York Times</u>).

Appointing conservative judges to the state judiciary was also key to this strategy. Challenges to redistricting maps are often heard in state courts first, so politically favorable judges are less likely to throw them out. These conservative gains have been incremental and largely under the radar of a public more concerned with national politics.



② Suggested Discussion Questions

- Do you think the views of all citizens of the U.S. are equally represented in our current government structure? How could they be better represented, in your opinion?
- What new information did the film present to you about how the anti-abortion movement has sought to gain power in diverse branches of government? How is our democracy vulnerable to disproportionate representation by a minority such as the antiabortion movement?
- Are there ways that you believe policymakers that support abortion can counter the anti-abortion movement in the shortterm? What about the long term?
- 🎻 What would 'fair' representation and congressional districts look like, in your opinion?
- Gerrymandered maps often dilute the voting power of minority communities. Is this by design, in your opinion? Have you seen this in your community?
- In the film, Nancy Northrup, President, Center for Reproductive Rights and Alexis McGill-Johnson, President, Planned Parenthood discuss the 'tyranny of the minority'. What does this phrase mean to you?

$\underline{\mathbb{W}}$ Watch the Clips

- 🌾 🛿 14:44-16:19 Alex Morris discusses evangelical views
- 🌮 18:06-21:00 Marjorie Dannenfelser explains anti-abortion strategy

🖗 Activity

- Play a round or two of the <u>GerryMander Game</u> to understand the process of packing, cracking and other ways politicians gerrymander districts to dilute or enhance political power
- Go to The Princeton Gerrymandering Project and select your home state. Explore the maps and the Fairness score awarded by Princeton. Explore the site, reading about the redistricting process in your state and exploring the data.

Discuss these questions:

- Gerrymandering makes districts more reliably Republican or Democrat in each election. How might that affect primary races in those districts?
- Does gerrymandering increase political polarization in America, in your opinion?
- 🏘 Do you think Democrats should try to match Republican efforts to gerrymander to regain an advantage? Why or why not?



Extension

What would 'fair' state congressional districts look like, in your opinion? What principles should be upheld in the drawing of political districts? Come up with 5 key principles to consider when drawing political districts. Then, use the free <u>Dave's Redistricting App</u> to create your ideal map, view those created by others, and compare to current maps. Defend your map as the most fair and representative map.

Q Dive Deeper: Resources for Further Learning

Learn about the history of abortion policy in the US, the landscape of a post-Roe America, and more with these vetted resources.

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Abortion Policy in the Absence of Roe
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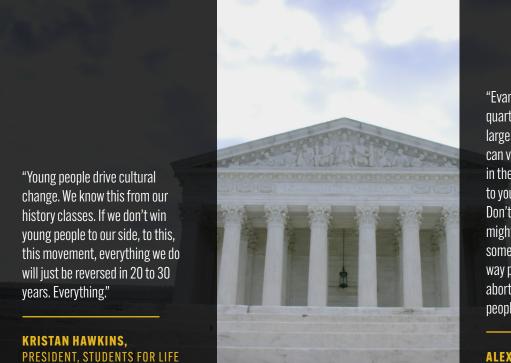
State-by-state briefing from the Guttmacher Institute, a leading research and policy organization committed to advancing sexual and reproductive health and rights.

- Abortion Rights Timeline Historical timeline from 1850-today by Planned Parenthood.
- AP News: Abortion Round up of Associated Press reporting on state and national decisions and news concerning abortion rights.
- Center for Reproductive Rights: What if Roe Fell? An interactive tool that sorts states and territories into four categories - expanded access, protected, not protected, and hostile.
- The History of the Anti-Abortion Movement NPR report tracing the movement from inception to current day.
- The State of Abortion in the US Articles and explanations by The New York Times, updated regularly.
- 📣 SCOTUSblog

Independent news and analysis of the US Supreme Court's daily decisions, written by law scholars.



The Cultivation of Anti-Abortion Voters: Youth, Women and Single Issue Voters



"Evangelicals make up about a quarter of voters. So it's a really large group and it's a group that can very easily be mobilized... So in the same way that I might say to you, how could you not recycle? Don't you know the end of the world might be coming? We have to do something! That's the exact same way people feel about the issue of abortion. And it really did motivate people to go out and vote."

ALEX MORRIS, SENIOR WRITER, ROLLING STONE

Suggested Panel Concepts

OF AMERICA

- 🐠 Youth Perspectives on Abortion Access
- 🏘 🗧 Elected Officials Town Hall/Talkback
- 🏘 Countering Disinformation



How has the anti-abortion movement cultivated support when a majority of people in the United States support abortion access?

The anti-abortion movement was relatively fringe until the late 1970s. In fact, the Republican party was neutral on abortion all through the 1970s. The major players of the New Right - Phyllis Schlafly, Paul Weyrich, and Howard Phillips - united with Christian conservatives to counter a rising tide of progressive sentiment. They needed a core issue to unite the voters behind their message and turn them out to the polls. Christian conservatives were most interested in the issue of maintaining tax exempt status for their racially segregated religious schools, but the New Right rejected school segregation as not broad enough to unite voters. Instead, they chose abortion. (Source: <u>Politico</u>).

Phyllis Schafly was an activist, attorney and writer opposed to the Feminist movement, gay rights and abortion. She successfully organized a conservative coalition to campaign against the ratification of the Equal Rights Amendment in the 1970s.

The Moral Majority was a conservative, religious political movement active during the 1970s and 1980s founded by Baptist minister Jerry Falwell to enhance religious values like prayer in schools, funding of religious education and strict laws against abortion.

As the historian and author Randall Balmer wrote, "It wasn't until 1979 – a full six years after Roe – that evangelical leaders, at the behest of conservative activist Paul Weyrich, seized on abortion not for moral reasons, but as a rallying-cry to deny President Jimmy Carter a second term. Why? Because the anti-abortion crusade was more palatable than the religious right's real motive: protecting segregated schools." (Source: The Guardian).

Since the triumph of the New Right with Reagan's election, religion has been firmly entrenched in Conservative politics. Buoyed by the Supreme Court decision in Citizens United that allowed unlimited political donations through super PACs, private individuals can advocate for their own views to be reflected in national policies.

Today, the anti-abortion movement has a robust presence on college campuses and actively recruits young members. Students for Life is the largest youth anti-abortion group with more than 1200 chapters nationwide. They claim that they have 'trained' 150,000 young people to enter spaces both on-and offline where typically pro-choice young people are, seeking to engage them in discussion that would change their position. Like many modern organizations, they use sophisticated data analysis, geo-fencing, and online tools to target potential advocates for their cause. Students for Life members had 1.2 million online conversations last year, and boast that 25% of people changed their minds after speaking to them. They even gamify this process by providing prizes to the chapter with the most online interactions (Source: Students for Life).

Websites that hide their true agendas and sponsors, misinformation surrounding pregnancy, and misleading crisis pregnancy centers further insert the anti-abortion agenda in places youth are likely to encounter it. Anti-abortion groups employ inaccurate fetal models and images to elicit emotion. They also advance dubious medical claims like the debunked 'post-abortion syndrome' and the nonexistent link between abortion and breast cancer or fertility (Source: NBC News).





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Crisis Pregnancy Centers (CPCs) are nonprofit organizations posing as medical clinics with the goal of dissuading pregnant individuals from accessing abortion care. Using misinformation and the lure of prenatal support, ideologically motivated CPC workers insert an anti-abortion agenda into pregnancy care. They are 3 times more prevalent than abortion clinics and receive 5 times the funding, including taxpayer funding. CPCs intentionally target people who might have abortions by naming their centers to sound like abortion-providers, opening centers next to abortion clinics, placing ads near high schools, colleges and low income neighborhoods as well as manipulating search engines to pop up when searching for abortion clinics (Source: Fortune).

Modern anti-abortion activists see themselves on the right side of history and liken their struggle to that of suffragettes or civil rights activists in the past. (Source: New York Times). Many of these groups have misappropriated the language of the Left and current social justice movements. They co-opt language associated with left-leaning social justice movements, like feminism and racial justice, for example, naming the theme of the March for Life "pro-life is pro-woman," and launching a "Black pre-born lives matter" campaign in the wake of the murder of George Floyd.

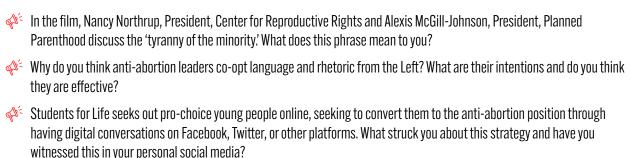
Go Further:

Analyze the rhetoric favored by anti-abortion activists and politicians. For each phrase, think about word choice, the image it connotes, and the emotional valence attached to the image or idea. Then, read the linked resource that explains the use of the term or the legislation to learn more.

- FD =
 - ^e Heartbeat Bill: <u>Texas' Heartbeat Bill rhetoric</u> decoded by medical professionals
 - 🕸 Unborn child (instead of fetus or embryo)

 - Dismemberment (instead of Dilation and Evacuation)
 - -Read about this debate in Kansas
 - Abortion Doctor (instead of OB/GYN)
 - -Read about the medical establishment distancing itself from abortion procedures

② Suggested Discussion Questions



Students for Life started a "Black pre-born lives matter" campaign in the wake of George Floyd's murder. What do you think about anti-abortion groups using this rhetoric, particularly given that people of color are most detrimentally impacted by anti-abortion legislation?

Many people with anti-abortion views see themselves as 'single-issue' voters who will support anti-abortion candidates regardless of their other views. Do you have a 'single-issue' that motivates you politically?

📣 Do you see the U.S. as an essentially religious country or not? How do your parents or grandparents see it?

One of the founding principles of America was the separation of church and state. Do you think we are seeing that principle break down?

$\underline{\mathbb{Z}}$ Watch the Clip

🎺 **59:10- 1:01:23**- Gamified digital advocacy training from Students for Life

Extension

Review Civic Online Reasoning Tools for determining the credibility of web based information. The core of this approach is critically and analytically assessing information on the web before trusting it. Key questions to keep in mind:

- ♦[€] Who's behind the information?
- What's the evidence?
- 🎺 What do other sources say?

This framework stresses the skill of lateral reading, which is going outside the site itself to vet the website or creators on other, trusted sites, like a fact checker would. Read more about these skills at <u>Stanford Civic Online Reasoning</u>.



Lateral Reading:

Lateral reading is basically searching for information about a source while reading it; you are checking for currency, relevancy, authority, accuracy, and purpose by reading what other sites say about the source.

Using the above skills, analyze Progressive Anti-Abortion Uprising's Site.

- 🞋 How does this site use the language of traditionally Left leaning activist groups?
- * What does a lateral reading fact check about this site reveal that simply looking at the site would not?

Using the above skills, analyze the site Teenbreaks.com

- 🆇 What is the real provenance of this site, according to your lateral reading?
- $lpha^{<}$ Why does it claim to be a site 'by teens and for teens'?

🖗 Reflection

What have you learned about the strategies used by anti-abortion groups? How do you feel about the use of these strategies on teens, pregnant people, and progressives?

Q Dive Deeper: Resources for Further Learning

With the dismantling of federal protections for abortion, it's more important than ever to participate in state and local elections, and understand your elected officials' commitment to reproductive healthcare access.

At Ballotpedia

Keep track of when and where abortion will be on the ballot in 2022 - restrictive measures are likely to be voted on in Kansas, Kentucky, Michigan, Arizona and other states this August and November. This Forbes article provides a useful overview.

Congressional Scorecard

Did your elected officials vote to protect your reproductive rights? Hold them to task with this scorecard.

EMILY'S List

Information on pro-choice Democratic candidates on the national, state and local level.

Governor's Races

Reproductive healthcare access may rest on Governor's races in certain key swing states. Read up on the stakes and VOTE!

🎻 🛛 <u>Pew Research Center</u>

Explore research and polling on abortion from this nonpartisan fact tank.



The Intersection of Race and Anti-Abortion Policy



SPOTLIGHT ON: REPRODUCTIVE JUSTICE

SisterSong defines Reproductive Justice as the human right to maintain personal bodily autonomy, have children, not have children, and parent the children we have in safe and sustainable communities. This goes beyond legality and includes equitable access to comprehensive reproductive care. "There is no choice where there is no access." Read more about the origins of the term and how SisterSong's road map to achieving reproductive justice here: https://www.sistersong.net/ reproductive-justice.

Abortion restrictions have always been linked to race and class in America. Abortion was not explicitly illegal until after the Civil War. Before then, pregnancy and childbirth was the province of female midwives who were often Black enslaved women. However, after the Civil War a newly professionalized lobby of doctors sought to codify and control birth outcomes. They were especially motivated by the falling birth rates of white women and the rising birth rates of people of color. Fueled by eugenics inspired reasoning, they saw outlawing abortion as a way to stem this trend and ensure that white women gave birth at the same rates (Source: NPR).

Fast forward to present day and the trends on who is most affected by bans on abortion also follow race and class lines. The states that have banned abortion often have higher proportions of people of color as residents. They also often lack medically accurate sexual education programs, access to contraceptives, and access to prenatal and postnatal care. Across the country, women of color have higher maternal mortality rates, across all class demographics (Source: NPR). Many scholars believe this is rooted in a biased healthcare system that minimizes BIPOC pain and ignores medical red flags (Source: CDC). All of these factors combine to create a dire situation for people of color living in states where abortion is restricted, whether they are seeking abortion care, or choosing to carry a pregnancy to term.



Criminalizing abortion and miscarriages also disproportionately affects people of color. Even before the fall of Roe, women of color were often held liable for unintended miscarriages and even faced criminal charges. Since Roe, "71 percent of the women arrested [for perceived fetal harm] were low-income, 59 percent were women of color, and 52 percent were Black women" (Source: Duke). It is not hard to imagine who will bear the brunt of Texas style laws that criminalize those who aid pregnant people seeking abortions and the patients themselves.

Suggested Panel Concepts

How does the overturning of Roe specifically impact BIPOC communities BIPOC led reproductive justice and organizing strategies

② Suggested Discussion Questions

- 📣 How do you think abortion restrictions affect people experiencing intersectional inequities around race, class and gender??
- What does reproductive justice look like in your community?
- 🎋 Has the reproductive rights movement always considered the views and needs of BIPOC people, in your opinion?

$\underline{\mathscr{H}}$ Watch the Clips

- 🍄 🗧 **54:58-55:43** Samantha Blakely discusses racist politics in Alabama
- 1:13:25-1:17:48 Black Unborn Lives Matter speech and Alexis McGill-Johnson's response

🖗 Activity

Reflect on the clips from the film and the definition of Reproductive Justice by SisterSong:

SisterSong defines Reproductive Justice as "the human right to maintain personal bodily autonomy, have children, not have children, and parent the children we have in safe and sustainable communities." (Source: <u>SisterSong</u>)

Break down that definition and choose one aspect to research:

- Maintaining personal bodily autonomy (the right for a person to govern what happens to their body without external influence or coercion.)
- 🌾 The choice to have children
- 🌮 The choice not to have children
- 🏘 Parenting in safe communities
- 🎻 Parenting in sustainable communities



For your chosen research focus, look into the barriers that BIPOC people encounter when seeking reproductive justice through a modern or historic lens. For instance, what barriers to bodily autonomy did BIPOC people face in America's past under slavery, Jim Crow and segregation? What threats to bodily autonomy exist today, and which have faded? How has the choice to have children been complicated for BIPOC people in the past? Research your chosen aspect using 2-3 credible sources and be ready to share what you find.

Go around the room and share your findings with the group. What have you learned about the fight for reproductive justice by people of color?

Extension

After diving into the barriers to reproductive justice, both historic and modern, reflect on this question. To what extent is the denial of reproductive justice to the BIPOC community systemic and endorsed by the government?

Q Dive Deeper: Resources for Further Learning

SisterSong Women of Color Reproductive Justice Coalition

SisterSong is the largest national multi-ethnic Reproductive Justice collective working to build access to reproductive justice for all.

🐢 In Our Own Words: Black Women's Reproductive Justice Agenda

In Our Own Voice: National Black Women's Reproductive Justice Agenda focuses on three key policy issues: abortion rights and access, contraceptive equity and comprehensive sex education.

📣 🗧 <u>Black Women's Health Imperative</u>

Founded in 1983, the Black Women's Health Imperative has been a longstanding pillar in the RJ movement. The organization leads national programs in health policy, education, research, and more with a goal of saving and extending the lives of Black women.

Mational Latina Institute for Reproductive Justice

National Latina Institute for Reproductive Justice builds Latina/x power to fight for the fundamental human right to reproductive health, dignity, and justice.

🏘 🕺 ACLU: The Racist History of Abortion and Midwifery Bans

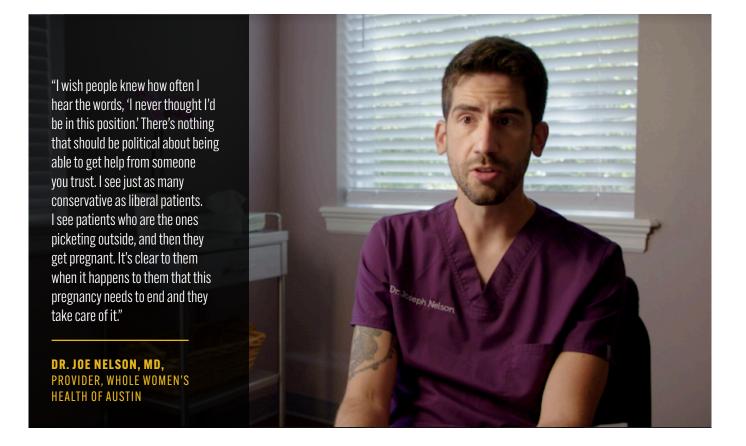
Linking racial control to the history of midwifery and abortion bans from the early 1800s on in America, written by scholars from the ACLU.

Brookings: The War on Abortion Drugs will be Racist and Classist

The Brookings Institute anlayzes proposals to outlaw abortion medication and links enforcement to the War on Drugs, which disproportionately taregtted communities of color.



Impossible Choice: How Laws Affect Lives



In **Battleground**, we see the ramifications for patients of a Texas law limiting abortion access - after the overturning of Roe v Wade, this is now the reality in many more states for individuals seeking abortion care. According to the Guttmacher Institute, "Greater distance to abortion facilities is associated with greater out-of-pocket costs, emergency room follow-up care, negative mental health, and delayed care among U.S. abortion patients."

This interactive map from the Guttmacher Institute includes up-to-date information on abortion access and policies on a state level



Barriers to abortion access have been standard in the United States long before the Supreme Court overturned Roe v Wade. The Hyde Amendment, enacted soon after the abortion was legalized at the federal level in 1973, blocked federal funds from being used to pay for abortion with exceptions only for rape, incest or if the pregnant person's life was endangered - this severely limited access to abortion to individuals receiving healthcare through Medicaid or other federal programs. Often systemic racism and economic inequities determine who is able to access abortion - and who is most impacted by restrictive abortion laws.

The national debate that frames the choice to have an abortion as shameful or against religious doctrine serves to push stories of abortion undergound and further stigmatize what is an essential healthcare decision made by nearly 1 in 4 women. When accurate information about abortion is not readily available, and people who have had abortions don't feel comfortable sharing their experiences, anti-abortion forces can fill that silence with misinformation, labelling abortion as rare and wrong.

We also see the toll restrictive laws take on reproductive healthcare providers who are forced to withhold basic healthcare services to their communities. Even in the small window where abortions are allowed, providers may be mandated to provide biased and unscientific 'counseling' to the pregnant person, urging them to rethink their choice without medical justification. Some states mandate that pregnant people undergo ultrasounds prior to receiving an abortion, or stipulate arbitrary waiting periods between initial appointments and the procedure. These laws are intentionally enacted to dissuade people from getting abortions and mecial provider from performing them; waiting periods in particular disproportionately affect people in poverty (Source: <u>National Partnership for</u> <u>Women and Families</u>). Laws around abortion are pitting the interests of doctors and patients against the state.

1 in 4 women will have an abortion by the time they're 45, and the procedure is extremely safe.

Suggested Panel Concepts

- Envisioning the Future of Comprehensive Reproductive Justice
- 松 Long Term Societal Effects of Forcing People to Remain Pregnant
- 🎋 Legal Concerns for Reproductive Healthcare Providers

With the overturning of Roe v. Wade, who is able to receive abortion care and how they can get it varies by state and shifts rapidly. Those seeking care, healthcare providers and those who support them fight to keep up with the ever-shifting landscape of abortion laws. Many of these laws force doctors to delay care and treatment, and consider legal ramifications for themselves and their patients, rather than making decisions based purely on patient health.



Abortion should be accessible to all without stigma - period. Abortion care is also a key part of providing healthcare services to people with the capacity to get pregnant, in a variety of common scenarios. Complications during pregnancy are experienced by many, and medication and surgical abortions are often a part of a treatment plan for individuals experiencing 1) pregnancy loss 2) ectopic pregnancies 3) fetal anomalies incompatible with life, and other diagnoses.

Ectopic pregnancies occur when the fertilized egg develops outside the uterus, most commonly in the fallopian tubes. Ectopic pregnancies will not survive to term and, if left untreated, can cause internal bleeding and damage to organs.

"In some cases, the law mandates conduct that is ethically unacceptable. When physicians believe a law violates ethical values or is unjust they should work to change the law. In exceptional circumstances of unjust laws, ethical responsibilities should supersede legal duties." - Code of Medical Ethics of the American Medical Association (AMA)

In a September 2022 article in the New England Journal of Medicine, Professional Civil Disobedience — Medical-Society Responsibilities after Dobbs, Matthew K. Wynia, M.D., M.P.H. asks a straightforward question: What should medical professionals do when a law requires them to harm a patient?

The American Medica Association, American Academy of Family Physicians, The American College fo Physicicians, and the American College fo Obstetricians and Gynecologists have all denounced the Supreme Court ruling overturning federal abortion rights. The AMA called Dobbs "an egregious allowance of government intrusion into the medical examination room, a direct attack on the practice of medicine and the patient-physician relationship, and a brazen violation of patients' rights to evidence-based reproduc- tive health services."

As noted by Dr. Wynia, "Medical organizations are rarely so united. Yet even many physicians who oppose abortion recognize that medically nuanced decisions are best left in the hands of individual patients and their physicians — not state lawmakers. Abortion bans are already pushing physicians in some states to wait until patients become critically ill before intervening in cases of ectopic pregnancy or septic miscarriage, among other problems."

Suggested Panel Concepts

- 🏘 Pathways to Achieving True Representation in America
- 🎋 Intersecting Structures of Oppression: Gerrymandering, Racism and Reproductive Justice



In a conversation with Dr. Alison Patterson, board-certified OB-GYN, Fellow of the American Congress of Obstetricians and Gynecologists, we discussed the impact of different abortion bans on patient care, and the profession of medicine. Dr. Patterson shared the following regarding the concern of the physicians:

Laws banning abortion may force doctors to choose between harm to their patient and breaking the law. Doctors have a responsibility to advocate for the health of their patients and restrictions to reproductive choices will adversely affect the spectrum of medical care and may ultimately adversely affect, or harm, the health of the patient. Physicians are concerned about state intrusion on patient care. We are concerned that conversations between doctors and patients are no longer private. We are concerned that discussions surrounding pregnancy termination between a patient and their physician have become criminalized. We daily weigh risks and benefits of so many different health decisions. The practice of medicine involves shared decision making, in which doctors and patients work to balance a patient's health choices with their personally held beliefs and values. There is no part of a state law that should be involved in the decision making process. A patient's decision about whether to continue a pregnancy should remain a private one, made in consultation with a health care provider. What also concerns us is the connection between maternal mortality and abortion care. Maternal mortality is highest in states were access to abortion is limited. We are going to see increased rates of maternal mortality.

Impact of a Six Week Ban

Most women do not find out they are pregnant until after 6 weeks. A home pregnancy test will detect an early pregnancy at 4 weeks, at the moment most women are expecting their monthly periods. Many women do not get a regular monthly period for many reasons, the most common being using hormonal contraception. In that case, women may not realize they are pregnant until other symptoms develop, very likely after 6 weeks. The only way you would be knowing that you have conceived by that moment in time, for the most part, is if you are not on contraception of any kind, and get a normal monthly period. A very select group of women find out they're pregnant at that early gestation.

For the rest of women who either don't get a monthly period or who are on hormonal contraception so may not get a monthly period, the window between finding out you are pregnant and being able to get an abortion is very small. It is very likely going to be after six weeks of pregnancy. That window of opportunity for even a choice of termination is going to be closed in those states that have a six week or heart rate abortion ban. Abortion is no longer a choice in states where abortion is banned after six weeks.

Impact of 15 and 24 week Bans

These bans primarily affect women who find out they are pregnant with an undesired pregnancy later, but that is not the majority of reasons why women undergo an abortion after 15 weeks. Typically, it's a desired pregnancy that has some sort of abnormality, and that's why a woman may choose to proceed with a termination. Most fetal health testing isn't available until the second trimester. Ultrasounds of the fetal anatomy are not really reliable until in the middle of the second trimester. These are typically performed at 20 weeks to assess the anatomy of the fetus. If the chromosomal testing early on or the blood work early on is normal, it's not gonna pick up a lot of abnormalities that are picked up. 93% of abortions take place within the first trimester (13 weeks) and 1% of abortions take place after 21 weeks. (Source: <u>Pew Research</u>)





For example, if a patient has a fetus without kidneys, it is not compatible with life. There is no way that the fetus is going to survive in the outside world. And most likely, it will die at some point in utero, but there's no way of knowing when that's going to happen. That's not something that could be detected any time earlier at 20 weeks, and so many women, even though they want to be pregnant, will choose to terminate that pregnancy because the fetus is not viable. At 24 weeks, in some of these situations is cutting it close because occasionally doctors will see fetal kidneys or cardiac status deteriorate between 20 and 24 weeks.

In the case of a 15 week abortion ban, forcing a woman to carry a fetus to term, from a health standpoint, is not in her best interest. A second trimester termination is much safer of a procedure than carrying that pregnancy to term in terms of maternal morbidity and mortality. It's so much less risky for that patient. For patients who want to be pregnant with a healthy baby, it is a time filled with anguish and trauma, with women being forced to undertake an experience like that who choose not to is insurmountable.

If a state law is coming in and saying the option of termination isn't even an option, it's not allowing us even to make an informed choice or provide that shared decision making with our patients.

This type of scenario, you know, is something that happens very frequently to doctors who provide pregnancy care. State laws interfere with a physician's obligation to provide sound medical care in these types of situations.

Legal Ramifications for Doctors and Effect on Patient Care

In states where abortion has been criminalized, a doctor could have a conversation with a patient regarding reproductive choices and then ultimately be charged criminally if they undergo an abortion. Many physicians feel this infringes on our rights as US citizens in terms of privacy. As a profession, doctors have promoted privacy, as being one of our rights as citizens to this country. The patient-doctor relationship is considered a sacred relationship that is protected communication. Now in states where laws indicate that you're performing a criminal act if you aide and abet an abortion, the right to privacy is being violated.



Pregnancy Complications & Abortion Access

There are many situations where proceeding with a pregnancy endangers the life of the pregnant person. A good example of this is an ectopic pregnancy, which is a pregnancy that implants outside the uterus, most commonly it's in the fallopian tube, but also the ovary, the pelvis, intestinal tract, spleen, or liver.

If the pregnancy is not implanted within the uterine cavity, it is never viable to ultimately result in a healthy infant. These pregnancies are life threatening to the mother because over time the blood flow to the pregnancy will rupture and the mom can bleed to death. Very often patients will come in with an undiagnosed or unknown pregnancy and a significant amount of pain. Doctors will see they don't have a pregnancy in the uterus, and that there is blood in their pelvis. Emergency surgery is done to look for the pregnancy of unknown location.

Another scenario would be a patient comes in with a positive pregnancy test, we don't see anything in the uterus. Over time it's very clear that the pregnancy is not viable because the hormone levels don't rise appropriately. And so we recommend those patients receive a medication called methotrexate, which is a chemotherapeutic medication that prevents rapid cell growth. Uh, and so essentially, uh, inhibits the growth of an early pregnancy to ensure that that early pregnancy would never put a patient's health at risk. It's a nonsurgical way of treating an ectopic pregnancy.

Doctors treat these pregnancies from a perspective of medical experience and medical expertise. Will physicians be held responsible for terminating those pregnancies even though they're not imminently dangerous to that patient? When in this situation, doctors know that, while a patient may not be bleeding now, she will in the future. That's a question that may color a physician's recommendation to a patient. If you're a physician in Texas and you're concerned that your hospital board is populated by anti-abortion people and you are up for review, would you reconsider making those types of recommendations to your patients knowing that the hospital is reviewing your hospital privileges?

There's also ectopic pregnancies which are in the tube but you can see the fetus and you can see a heart rate. Even though that fetus has a heart rate, it's in the tube. It's not going to be viable and that patient is ultimately, at some point in time, very likely going to have some internal bleeding that'll require more emergent surgery and the recommendation is- is to either do the surgery now, you're not gonna wait for that- that embryo heart rate to stop beating. That puts doctors in a situation where they might be second guessing their clinical judgment, their medical expertise.



Where abortion access is restricted, maternal mortality rates are the highest and pregnancy complication and maternal morbidity is higher than in states with abortion access. Many physicians are concerned that these restrictions are going to heighten an already pretty evident problem of maternal mortality in the U.S. healthcare system. We're going to see worsening outcomes for our women in these states who restrict abortion.

In a <u>recent study</u>, "pregnant patients at two Dallas hospitals faced almost double the risk of serious health complications after the state's abortion restrictions took effect and caused doctors to delay care until their lives were in immediate danger, a new study shows.

<u>Researchers at Parkland Health and UT Southwestern Medical Center</u> found that the Texas laws, which <u>create criminal and civil liability for doctors</u> who perform abortions beyond about six weeks gestation, led to uncertainty about when doctors are legally able to end a pregnancy and profoundly affected their patients."

② Suggested Discussion Questions

- 📣 How do the restrictions surrounding abortion conflict with the Hippocratic Oath, the pledge doctors take to 'do no harm'?
- In the film, we see a woman in Texas struggle to obtain an abortion amidst shifting bans. She eventually flies to Colorado to access care. How has your state been impacted by the overturning of Roe v. Wade? Are you experiencing bans? Is your state passing protections? Are people traveling into or out of state for care?
- Would you/do you feel safe being pregnant in your state? What about other states?
- Do you have a story you'd be willing to share about how you or a loved one has been impacted by abortion access or lack thereof?
- $lphi^{<}$ Has the stigma surrounding discussions of personal abortion stories contributed to the current situation? How?



Q Dive Deeper: Resources for Further Learning

Access Reproductive Healthcare: Resources to access abortion care, legal and financial assistance and more.

Abortion Finder

Find a vetted abortion clinic near you.

Abortion on Our Own Terms

Learn about self managed abortion and support this crucial option.

Hey Jane: Abortion Pill Access

Chat with a doctor and buy abortion pills online, securely mailed to your door.

🐢 <u>INeedAnA.com</u>

Find a clinic - to find vetted, up to date, and personalized info on how to get an abortion; no search or user data saved.

🐠 Just The Pill/Abortion Delivered

Founded by licensed doctors who are passionate about reproductive rights and healthcare access, providing birth control, abortion by pill and other reproductive health services via telemedicine.

📣 M+A Hotline

A confidential, private and secure phone and text hotline for people in need of support for self-managed miscarriage or abortion.

🐠 National Network of Abortion Funds

A step-by-step guide to securing support for your abortion through NNAF.

Mational Advocates for Pregnant Women

NAPW provides pro bono (free) legal assistance to women who have been charged with a crime because they sought to have an abortion, because they had an abortion, or because a doctor, police officer or prosecutor thought a woman had or tried to have an abortion.

Plac C: Abortion Pill Information

Plan C provides up-to-date information on how people in the U.S. are accessing at-home abortion pill options online.

Practical Support Organizations (PSO's)

PSO's help abortion seekers with travel and logistical support.

🏘 🕻 <u>Repro Legal Helpline</u>

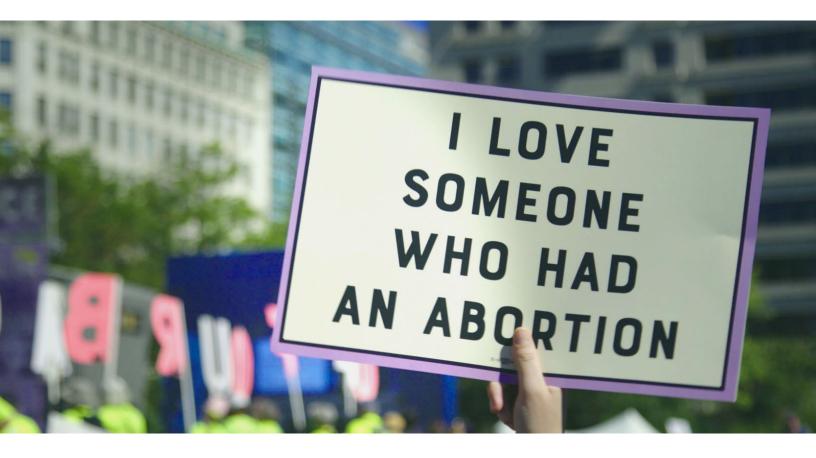
From If/When/How, attorneys and advocates providing legal information and support to people navigating complex laws in order to self-determine their reproductive lives.

Whole Women's Health: Self-Managed Abortion

Resource for information about self-managed abortion options and further reading.



Art and Activism for Access



Artists

Artists have been responding to the debate over abortion access since before Roe v. Wade was decided, with visual artists like Barbara Kruger and Jenny Holzer exposing the misogyny inherent in American culture and the control exerted over women's bodies and choices (Source: <u>The Guardian</u> and <u>ArtNet</u>).

Fashion Designers

Fashion designers have been passionate about speaking out for abortion access as well, with new designer Grover Rad's recent collection featuring mother/ daughter comic artist duo Aline Kominsky-Crumb and Sophie Crumb's vastly different abortion stories, pre and post Roe (Source: <u>Vogue</u>).

Poets

Poet Kate Baer spoke to many mothers dealing with the unequal burden of childcare exposed during the pandemic with her debut book of poetry *What Kind of Woman* that urges society to demand more autonomy for women, in the home and elsewhere (Source: <u>NYTimes</u>).





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