



FREEDOM IS FOR
EVERYBODY

TO: Interested Parties
FROM: EMILYs List, NARAL Pro-Choice America, Planned Parenthood Action Fund
RE: Anti-Abortion Politicians Double (and Triple) Down on Losing Political Strategy
DATE: Thursday, March 9, 2023

“The definition of insanity is doing the same thing over and over and expecting different results.” -Albert Einstein

Despite the results of the 2022 midterms, where abortion was a significant vote-driver across the country, the actions of anti-abortion politicians make it clear that they are still woefully out-of-touch with the very people they represent.

Politicians and activists hostile to reproductive freedom continue to plan and plot to further restrict access in an effort to achieve their ultimate goal: a national abortion ban. They have continued to introduce and pass anti-abortion measures in state legislatures across the country and in the U.S. House of Representatives; worked to undo FDA approval for mifepristone — the first of two drugs taken in a medication abortion — by gaming the system through our courts; and used their platforms to spread disinformation about abortion care.

That’s not all—banning abortion was never enough for these extremists. We have seen them target other essential sexual and reproductive health care, from birth control to STI testing and treatment, cancer screenings, IVF, and gender affirming care. They won’t stop until they control every part of our reproductive freedom—but their efforts will not go unnoticed by voters.

Polling continues to find that voters overwhelmingly support protecting access to abortion

Heading into the 2022 midterms, poll after poll made clear that voters were motivated to turn out to protect abortion access. This helped block the anticipated “red wave” and propel ballot measures and abortion rights candidates across the finish line in key congressional, gubernatorial, and state legislative races. Polling shows that voters’ interest in protecting abortion access has remained strong in 2023.

- New polling from [Navigator Research](#) proves that the intensity of support for abortion access has not decreased.
 - [Three in four Americans](#) believe that the government should not prevent a woman from making that decision for herself, and nearly seven in ten Americans say the right to an abortion in the U.S. is “at risk.”
 - Clear majorities of Democrats (78%), independents (60%), and every racial group think early medication abortion care should remain legal, along with a plurality of Republicans (43%).
- Americans across many demographic groups support legal abortion in all or most cases – and [those views didn’t change](#) over 2022.

- 68% of young people (ages 18-29) support abortion in all or most cases.
- There is no state in the country that supports overturning *Roe*. In fact, there is no state with more than 14% of the population being in favor of total ban and over the last year, support for making abortion illegal [has decreased](#) from 11% to 7%.

Anti-abortion politicians continue to ignore the will of the voters

Despite the public outrage in response to the rash of abortion bans enacted across the country, and the immediate public health crisis that was created, anti-abortion politicians continue to legislate, campaign, and speak about banning abortion as if the public does not overwhelmingly support protecting access to this fundamental freedom.

- The [RNC responded](#) to their embarrassing performance in the midterms by encouraging their members to “go on the offense” when it comes to abortion and pass the strictest abortion legislation possible.
- In the U.S. House of Representatives, the new slim anti-abortion majority made [two anti-abortion bills](#) criminalizing doctors and stigmatizing abortion their FIRST WEEK priorities.
- Despite the clear message voters across the country sent in the midterms, lawmakers are continuing their attempts to undermine reproductive freedom. So far in 2023, more than 245 bills attacking abortion have been introduced in 41 states, with some lawmakers pushing for more expansive and crueler policies than ever before.
 - Florida, Nebraska, and South Carolina lawmakers are all considering bans on abortion after six weeks of pregnancy, which would further decimate access in large swaths of the country.
 - Utah lawmakers passed a bill to functionally eliminate abortion access in the state by banning clinics from providing abortion after May 3. Last month, lawmakers also passed legislation to rewrite civil procedure rules, intended to undermine the court injunction that is currently blocking the state’s trigger ban.
 - Wyoming lawmakers passed a total abortion ban to replace the state’s trigger ban — which is currently blocked by litigation — and eliminate the already-narrow rape and incest exceptions from the law. The bill, which is now awaiting the governor’s signature, goes even farther by also removing what limited state funding currently exists for abortions in emergency situations, meaning if someone got an abortion in Wyoming to save their life, Medicaid would not cover the costs.
 - Idaho lawmakers are advancing a ban on helping minors travel out of state for abortion — the first of its kind in the country post-Dobbs, intended to have a chilling effect on those who would help young people get basic health care, putting them in dangerous and isolating situations.
 - Last month, lawmakers in Iowa and Texas introduced extreme bills that aim to block people from accessing *information* about medication abortion, requiring internet providers to censor content in those states. The Texas bill also calls for investigations into abortion funds for helping Texans travel out of state for care and uses the same S.B. 8-style bounty-hunter private enforcement mechanism.

- And despite anti-abortion politicians' claims that they would never punish pregnant people, lawmakers in Arkansas, Oklahoma, Indiana, and Kentucky have introduced bills with criminal or civil penalties for people who get abortions.
- Republican attorneys general in 20 states, including states that voted by referendum to protect reproductive rights, publicly bullied drug store chains to not provide legal medication abortion.
- Countless [court cases](#) have been brought to challenge abortion protections across the country.
 - A judge in Texas could deliver a ruling that would challenge the FDA's 22-year approval of mifepristone, threatening to restrict access to that medication even in states where abortion is legal.
 - Ohio and 11 other states (AL, AZ, AR, FL, KS, KY, MO, NE, OK, SC and WV) brought a lawsuit seeking to reinstate the Trump administration's domestic gag rule in the Title X program.
 - Texas filed suit challenging the Biden administration's July 2022 guidance that stated that if a pregnant patient presented with an emergency under EMTALA and if abortion was the necessary stabilizing treatment for that patient, the physician must provide that abortion, even if the abortion was precluded by state law.

We will continue to hold them accountable

While anti-abortion politicians will continue their politically miscalculated attacks on abortion rights, voters will continue to challenge them and their views. Advocacy and political organizations like ours will continue to hold these politicians accountable to ensure that our elected officials honor the will of the people they swore an oath to represent and protect.

About EMILYs List

EMILYs List, the nation's largest resource for women in politics, works to elect Democratic pro-choice women up and down the ballot and across the country with a goal of fighting for our rights and our communities. Our work is centered around a fundamental vision: Run. Win. Change the World. EMILYs List has raised \$850 million in service to that vision and has helped Democratic women win competitive elections by recruiting and training candidates, supporting and helping build strong campaigns, researching the issues that impact women and families, running one of the largest independent expenditure operations for Democrats, and turning out women voters to the polls. Since our founding in 1985, we have helped elect the country's first woman as vice president, 175 women to the House, 26 to the Senate, 20 governors, and over 1,500 women to state and local office. More than 40% of the candidates EMILYs List has helped elect to Congress have been women of color. Visit www.emilyslist.org for more information.

About NARAL Pro-Choice America

For over 50 years, NARAL Pro-Choice America has fought to protect and advance reproductive freedom at the federal and state levels—including access to abortion care, birth control, pregnancy and postpartum care, and paid family leave—for *everybody*. NARAL is powered by

its 4 million members from every state and congressional district in the country, representing the 8 in 10 Americans who support legal abortion.

About Planned Parenthood Action Fund

Planned Parenthood Action Fund is an independent, nonpartisan, not-for-profit membership organization formed as the advocacy and political arm of Planned Parenthood Federation of America. The Action Fund engages in educational, advocacy, and limited electoral activity, including grassroots organizing, legislative advocacy, and voter education.