

This interview has been lightly edited for clarity.

AMELIA BONOW:

Hello, Abortion Academy students. Thank you for attending this evening's class.

My name is Amelia Bonow, and I use she/ her pronouns, and I'm the co-founder and executive director of Shout Your Abortion, which is a nationwide organization, working to normalize abortion and elevate paths to safe access, regardless of legality. We make resources, campaigns, and media intended to arm existing activists, create new ones and foster collective participation in abortion, access all over the country.

So, Abortion Academy is a monthly Webinar series where we get to introduce you to one of our exceptionally brilliant colleagues, and we hope that abortion Academy is something that deepens your knowledge, helps you connect some of the dots between the issues that you're navigating on the ground regionally and what's happening at the national and even the international level. And, ultimately, to give you fresh ideas to take back into your communities.

Audience members will be off camera and muted for security reasons. But you will be able to ask questions in the chat throughout the session, and our speaker, Erika, will be talking to us for 45 min to an hour tonight, and then we will have a chat, Erica and I, and you will be welcome to participate in that as well.

So, before I forget next month's Abortion Academy is going to be a special one, we will be hearing from Mariana from Inroads, the international network for the reduction of abortion, discrimination, and stigma. And she will be discussing the transformative impact of leaving a global community for stigma, free abortion movements. And one exciting thing is that we will have a live Spanish interpretation. And a thing to note is that it takes place on August 29th at 10am Pacific, 1pm Eastern, in order to accommodate Mariana's time zone.

So I just realized that our last Abortion Academy was one month ago with Rhiannon and her mom, and it was directly before the debate, which I don't know about you, but that shit threw me into a few weeks of just manic panic, and then someone shot Donald Trump in the ear, and Joe Biden got Covid, and then dropped out of the race, and JD Vance did not fuck a couch. And now, all of a sudden, we're in the midst of a presidential race.

And unburdened by the context that has come before. So all of that is to say, we hope you're okay. It's been a lot. And we're so happy to be here tonight with Erika Christensen, who was our very first ever Abortion Academy professor, and is our first ever repeat appearance, and that is because, I think I speak for everyone at SYA, when I say that, like every time we talk to Erika, we're like, that's the smartest person we've ever met.

So Erika, uses she/ her, is a later abortion advocate and co-director of Patient Forward. Patient Forward works to decriminalize pregnancy outcomes and ensure everyone has equitable access to abortion, care as early as possible, and as late as necessary. For information and

resources on later abortion, and the insidious fuckery of abortion bans, check out Patient Forward's educational project, whonotwhen.com.

One of the reasons that Erika was our first guest is that later abortion care is one of the most difficult aspects of abortion care for folks to talk about whether it's advocates or politicians, and you will be hearing a lot more about later abortion over the next few months, because there are nine ballot measures on the ballot this fall, and a lot of those compromise later abortion care patients.

And later abortion patients are the very first people to be sold out by politicians who are often framing that as a necessary compromise, a necessary concession. And when someone is telling us that we have to ask ourselves on the backs of whom is this compromise being made? And also, is this a concession that we actually need to make that we would get anything out of conceding? Or maybe, is this something that people are actually cool with, but have just never actually been asked to think about or talk about.

Erika's first session was Later Abortion 101. And if you haven't watched that session, you definitely should, because this session, which is Erica's first ever 201 performance, she will be picking up a lot where she left off. And so you may be missing some context if you didn't watch that first session which will drop in the chat.

And what Erika is going to be focusing on is what is standing in our way in terms of protecting this essential care. So I'm going to hand it over to my girl, Erika, to take it from here.

ERIKA CHRISTENSEN:

Thank you so much, Amelia. I really appreciate that. You all are just wonderful.

Hi! Hello, Shout Your Abortion community! As Amelia said, I am Erika. My pronouns are she/her. I'm a later abortion patient advocate, and, as she said, I'm the co-director of Patient Forward as well as our public education site, WhoNotWhen.

So I'm so incredibly thrilled to be here. And I'm just so grateful to Amelia, Erin, and everyone at Shout Your Abortion for inviting me back for this Abortion Academy, which the entire series is so badass, and you all are geniuses for thinking of it. I love it so much

So thank you, too, to the SYA community for coming back to share space again. I read all of your surveys after the Later Abortion 101 and it meant a lot that you took the time to offer feedback to fill it out to share thoughts. The Later Abortion 101 is something that we've developed and has evolved over very many years.

Today's material, I want to say, is completely new. I have never done a Later Abortion 201 so thank you all for being here, and for not turning on me if I fuck up. I hope we can jump into this new stuff together.

Amelia already gave you an intro to Patient Forward. I'll say again, we are a strategy and advocacy organization working to secure total decriminalization of pregnancy, including unrestricted access to abortion care. We believe that once someone has decided to end their pregnancy, they deserve safe and affordable abortion, care free of government interference as early as possible and as late as necessary.

We create educational materials, comms resources. We do state based advocacy, later abortion, patient advocate support, and we try to do all of our work, centering our core values, which determine how we try to think and talk about pregnancy and later abortion. And our four core values are what is gonna guide my presentation here tonight.

Those four core values are self-determination, no good/bad abortions, decriminalization and most central to our project, accountability. Accountability to all later abortion seekers and patients.

I say this at the top of every presentation, but we've learned the hard way that you can't be accountable to everyone. So we've made the very conscious decision to be accountable to this population of people.

So this is a quick recap of where we left off with the later abortion 101 which was called demystifying, destigmatizing, and decriminalizing abortion later in pregnancy part one. And if you missed it, as Amelia said, there is a recording, and if throughout this presentation you find yourself maybe having more foundational questions about later abortion, I would certainly recommend it if you have the time having a watch of that. We covered in 101 why people seek later abortion, care, and the groups who are most likely to need care later, due to systemic inequality.

We dug deep into the effects of bans on abortion seekers. We talked about how all abortion bans are bad, including the bans we've been conditioned to accept as so-called reasonable limits, and by that, I mean bans on abortion later in pregnancy, including bans at potential fetal viability. They serve no health or safety purpose, and instead lay the foundation for the State to deny critical health care, control pregnancy and punish adverse pregnancy outcomes.

I hope that in that one hour, I was able to make the case that later abortion care is care that people need, and that it's worth protecting from abortion bans.

So, if that is true, why is care still being compromised away by the mainstream pro-abortion movement? And I'll show you what I mean.

So currently 41 states ban abortion at some point in pregnancy. 14 States ban it completely. 17 states ban abortion at a specific gestation ranging from 6 to 27, and change weeks. 10 States ban abortion at potential viability, and then 9 States and Washington, DC have no ban or gestational limit at all. Those are Alaska, Colorado, DC. Maryland, Michigan, Minnesota, New Jersey, New Mexico, Oregon, and Vermont.

I'll note that chaos has not ensued in those States. People are just able to get care that they need not in all of these places, but in most of them. There aren't providers in all of these States, I'll say, but in most of them, it's where people are traveling for care.

Now, this may be confusing already, because maybe you've heard that only 21 states ban all, or some abortion care. This is a fake stat that PPFA uses a lot. That stat that 21 States ban all, or some abortion. care is only true if we erase bans after 22 weeks, which you know people do a lot.

Now, please, before anyone comes for me, I'm not suggesting that all of the States here in red are the same. Obviously there's a real range here in the amount of abortion care that is banned. But I am also not going to pretend that the Blue States present, which represent no time base limits are not a unique category.

So if we could wave a magical bodily autonomy wand and pass every proactive abortion ballot measure, and take control of Congress, the White House and the Supreme Court and everybody came together to quote 'restore Roe', the truth is that this map wouldn't change much.

I think one State would maybe change color on this map, and that's due to New York State's ERA, maybe after litigation. Now, that's not to say that abortion laws in many States wouldn't get better. But why wouldn't restoring Roe change more States to blue on this map?

To answer that, let's look at some leading proactive policies. Here is the language for the Women's Health Protection Act or WHPA. WHPA is Federal legislation that's been introduced. Every legislative session for a decade.

When Democrats or whoever says they want to restore Roe, they're generally talking about this bill, which has been kicking around for almost 10 years now. Over 160 reproductive rights organizations have signed on in support of it, as well as reproductive health and justice organizations as well, and it has the support of almost every Democrat in Congress. Like Roe, decided in 1973, a year before women could legally have their own credit cards, WHPA draws a bright line, limiting protection for abortion at potential fetal viability.

If enacted, most States would still ban abortion after a point in pregnancy, just like they did before Roe was overturned. And, by the way, why fight about this? They had 50 years to show us what they would do under Roe, and so, if they reinstate Roe, we have, you know, 50 years of evidence for what you know folks would probably do in the States.

Now to be clear, in the past, WHPA would do many good things for a lot of people. It could get rid of many bans and restrictions, but as it is currently written, it would also enshrine this limit, ensuring that later abortion seekers are left out of the stated objectives of the bill.

And then there are ballot measures like those that passed recently in Michigan and Ohio, along with current ballot measures in Arizona, Florida, Missouri, Montana, Nebraska, and Nevada, which also limit their protections for abortion before potential fetal viability. Again, nobody is saying that good work cannot be done after these measures pass, including potentially removing bands earlier in pregnancy. But I just want to say again, that these are called our reproductive freedom measures, and the discrimination does not end in the policies. It's also in how folks talk about these policy proposals in the media, in court cases and campaigns. Here's one example. This is a still from an ad that was put out by issue one's campaign in Ohio, suggesting that they would be able to protect so-called sensible restrictions on abortion later in pregnancy as if that is a good thing.

So my point is that, despite what we know about later abortion care, that it is safe, ethical, and for the people who need it a miracle. The reproductive rights movement has not fought for it as a critical, non-negotiable.

So today we are going to talk through specifically some common excuses that we hear from pro abortion advocates and resources and tips for pushing back on those excuses.

So one of the main things we hear is a kind of appeal toward incrementalism that we simply need to be patient and chip away at injustice piece by piece. In this incremental approach, the implication is that we are taking small steps towards some end goal, and this sounds reasonable. But if we are going to embrace incrementalism as a strategy, it's important to know where we are going.

Incrementalism is often accompanied by the threat that some abortions are better than none and sure, but this presumes that our options are only something or nothing, and if we take that approach. We have started from the idea that loss is assured if we dare secure reproductive autonomy for everyone. This flawed premise aside, there's no reason to think that policies with limits lead to future policies without limits. Once we have conceded that the government has an appropriate role to play in controlling pregnancy and abortion decisions, that's it. We're just fighting about where that line should be, which is what is happening now.

And we would also have to think that if we're able to quote, restore Roe, and protect most abortions, that there would be political will or philanthropic support to come back for later abortion patients.

As Pamela Merritt, of Medical Students for Choice, often says "there's never been an instance when the majority secured rights and then circled back to secure rights for the minority." And if you don't believe me again, we can just look at the past 50 years for plenty of evidence.

Instead of incrementally moving forward after Roe was decided in 1973, we saw the reproductive rights field hold the line drawn at Roe, and now that that line is gone, we're again, not seeing folks push for something more. In fact, what we have seen are countless examples from well funded reproductive rights organizations and pro choice legislators, suggesting that

reinstating row would fix all of our problems. Problems like abortion, denials, travel and pregnancy, criminalization that existed before Roe was overturned.

Everybody is very upset that 1 in 5 abortion seekers are traveling out of state as well. They should be. That is terrible. It's also terrible that 1 in 10 abortion seekers were already traveling before Dobbs. And the failures of incrementalism extend into policy. Gestational and viability limits provide a legal basis for the government to police pregnancy outcomes beyond abortion. Courts and lawmakers have looked to the viability line in Roe to determine when a fetus becomes more worthy of the State's protection than the pregnant person. This suggests that enshrining a viability standard in law is not and has never been, harmless.

It is not an incremental step toward expansive rights or harm reduction. Instead, it is an incremental step toward fetal personhood. This, by the way, is a quote from a policy memo that we worked on with some partners that I'll be talking a bit more about a little bit later.

Speaking of harm reduction. Now, the way that incrementalism is sort of copped for under this idea of harm reduction is a real problem. Kind of for two main reasons. One: harm reduction is a real framework with a real definition. Critically, it centers human rights and justice, and explicitly rejects discrimination, judgment, or requiring that people act a certain way as a precondition of support.

This is very counter to the Roe framework, which is discriminatory, and only allows abortions after a certain point, for certain reasons, enshrining a hierarchy of deservingness, meaning some abortions are good or justified, and others aren't. Harm reduction doesn't require specific behaviors for support or protection.

Two: it's also messed up because the harm reduction framework was created in response to the criminalization of drug use. Ironically, drawing lines at viability means the State starts to have an interest in what happens during pregnancy before birth. This has directly led to pregnant people being drug tested without consent, and many more being criminalized for substance use during pregnancy.

So, to challenge the idea of incrementalism when it comes to abortion rights, I offer not to erase the harms beyond abortion from any calculations that you might be making. And also, if anyone tries to start talking incrementalism to you, I would say, a very fair question is, if this is an incremental step, where are we going?

The next category of pushback, I'm calling conventional wisdom. This is the idea that later abortion is just too unpopular to fight for. Well, first sorry, that's the gig. We can't just decide that we only want to fight easy fights. People are depending on us. I hope that we're not okay telling people sorry you can't have your abortion, it didn't pull well, so we gave up. No, we have to do the work to make sure that the care people need is politically possible.

The good news is we have good reason to doubt this conventional wisdom anyway. Specifically, people have assumed that because the public has genuine complicated feelings about later abortion that they want to ban it. But it turns out this may not actually be the case. Turns out flawed polling plays a significant role in shaping flawed conventional wisdom

For decades, public opinion polling has shown that while a majority of Americans support abortion, their support wanes later in pregnancy.

But recent opinion research is challenging this conventional wisdom in very important ways. The majority of people who think abortion should be legal are increasingly opposed to any limits or government interference, and the voters for whom abortion is a top issue, are more likely to be the ones who want abortion to be legal in all cases. But still, go to polling like Gallup, for instance, shows a huge drop in support for the legality of abortion care in the third trimester.

So veteran pollsters at Perry Undem decided to dig a little more into these numbers. They recreated Gallup's poll and found that their results were almost identical. A whopping 71% of respondents answered that abortion should be illegal in the third trimester. Seems not good. So then Perry Undam asked those 71% of people who thought 3rd trimester abortion should be illegal some follow up questions.

Of those it should be illegal folks, they also said that 80% of them said that laws on abortion can account for every situation. 78% of them said, there are circumstances when someone might need an abortion later in pregnancy, and 58% of the people who said it should be illegal said that people should be able to make their own decisions on abortion throughout a pregnancy without the government interfering.

So there is clearly a disconnect in people's understanding of bans and what they do, not vibes actually. But you know you ask people questions. You give them a quiz. They're answering on vibes.

In another poll, PerryUndem looked at ballot measures with and without a viability limit. So this is crucial, because in this test. People weren't asked how they felt about later abortion. They were looking at what a law would specifically do. They found that a ballot measure without a viability limit that just protected rights, period, got a lot more strong support. This again turned conventional wisdom on its head.

Shocked, the pollsters thought something had to be wrong with this data. They went back. They double checked their numbers, they double checked the construction of the test. But the researchers had also asked folks why they didn't support a limit, and the people were very clear.

These are just a handful of some of the real responses from the folks who were asked why they didn't support a version with a viability limit. And again their answers shocked these pollsters. The people said they wanted no State interference. They weren't looking for so-called reasonable compromise. Even if Americans have conflicted or uncomfortable feelings about

later abortion, they also do not support bans, and there are pages and pages of feedback from this test just like this. Sometimes I read them when I'm having a bad day. They're truly life-affirming.

Now, three months later, the researchers went back into the field for a wave two, to see if the feelings or preferences stuck. What they found is that not only did people move even more firmly into no bans. They also added a new question. They asked, "if you had to guess, do you think most people in your state want an amendment with or without limits?" And here's where they found the problem.

People thought other people wanted some limits. And this makes sense. The idea of some limits being reasonable is what we hear in the media. It's what many politicians are telling us. It's what reproductive rights groups are offering in terms of policy. But it turns out that the conventional wisdom is flawed, and it's allowing State interference that people don't even want

Another piece of conventional wisdom is the idea that banning abortion later in pregnancy isn't that bad? Because it doesn't affect that many people. You may have heard stats like only 1% of abortions happen after 21 weeks. And first, I just wanna say that just because something only harms a relatively, you know, small number of people, doesn't mean that it's okay. But this 1% stat is also misrepresenting the data. According to the CDC approximately, 1% of abortions occur at or after 21 weeks, here's the rub, in selected reporting areas.

This is widely misinterpreted as meaning that about 1% of all abortions occur after 21 weeks. But the selected reporting areas is key to avoiding misrepresentation or misinterpretation of this statistic. A number of States that represent a third of the U.S. Populations do not report gestational data to the CDC.

The States that do not report are on your screen. They include California, Connecticut, DC, Illinois, Maryland, Massachusetts, New Hampshire, New Jersey, New York State, although New York City does report, Pennsylvania and Wisconsin. Some of these States include all of the ultra investor clinics that we have, that people travel to.

The most recent CDC report, also, this is another reason why the stats sucks, is that the most recent report is from 2019. Which, like, does anybody even remember 2019, like the world, has completely changed. This is before Sb8. It's before Dobbs. So this obscures the results of new bans that have been passed since 2019, because we know bans, equals, delays, equals, abortions happen later. So this piece of so-called conventional wisdom is also flawed.

The truth is that it's difficult to say with any certainty what percentage of abortions occur after 21 weeks, 24 weeks, or any point in pregnancy. What we can be sure of is that thousands of people being left out of protections and overrepresented among that group are the most under-resourced and over-policed members of our communities.

So some recommendations for pushing back on conventional wisdom. Do not accept polling results from consultants at face value. Ask to see the questions and the numbers yourself. Do not accept top line takeaways from people who make money off of the Roe. V. Wade. industrial complex.

Two: use polling to meet people where they are on communications, not policy.

Three: Push back against stigmatizing later abortion myths, including that 1% myth. And then challenge this flawed premise that discomfort with later abortion equals support for bans.

Okay, the third category of pushback, we're calling helplessness. This is the idea that opposition attacks on later abortion are scary and it's just too hard to talk about because it's too hard to talk about the issue, and it's too hard to defend access to this care. It's easier to just let it be banned, I guess.

Now we have heard very effective advocates who are generally fearless when it comes to abortion, say 'we just haven't figured out how to talk about this'.

Well, we actually, we do know how to talk about this. Here's the big reframe idea: Instead of when we should draw the line, we should be asking whether the State should be drawing the line at all. It's about who decides.

Critically, this doesn't mean that everybody supports the idea, or people having later abortions, or agrees with every person's individual decisions. And that's fine. This is not actually about how you feel about later abortion. This is about the role of government, about core values, like health and safety, freedom and authority over one's own body, and it's about divesting from the hierarchy of deservedness or permission framework in policy.

These are a few messages that rose to the top of our message testing. And I just have one example for each value. For care: when someone has made the decision to get an abortion, they should be able to as early as possible and as late as necessary. Abortion restrictions are harmful. Health and safety should guide pregnancy, decisions, not politics. Freedom: People should be free to make decisions about their bodies, health, and lives without any government interference. Authority: who seeks consensus from strangers when making serious medical decisions. There is no point in pregnancy when the government is better positioned to make decisions about your body or pregnancy than you are.

And it's not just us seeing these trends and new opportunities. Hawaii's repro, old timer once told us nobody uses other people's shit.

So, we asked Planned Parenthood to test some of this messaging and framing themselves. They found that more people support access to abortion throughout pregnancy than oppose it. And then, after hearing messaging, based on some of our tested messages, they saw that difference jump to 30 points with a 21 point shift. If you know anything about polling, that is

bananas. They conclude from their memo: "Instead of talking about when abortion should be legal. It is better to underscore who gets to make decisions. This is the strongest rebuttal to laws that would restrict abortion, access as well as the best proactive message to advocate for abortion throughout pregnancy."

I'm sorry, like, I mean, y'all. This is planned parenthood's new top message for election season: "At no point in pregnancy is a politician more qualified to make decisions about your health than you, and because they're planned parenthood and your healthcare providers." This is now their, again, top line message that they just released. So it seems that we actually do know how to talk about this, and we know it is very effective. And when the pink wing of the Democratic party has adopted expansive messaging, it suggests we may be turning a corner.

Now, pollsters will also tell you that while this is encouraging data, opposition rhetoric attacking later abortion is still effective at eroding support. By the way, antis say this stuff, no matter what the policy is. In Arkansas, for instance, they have a proactive ballot measure that only protects abortion up to 18 weeks, and antis are saying that it allows abortion up till birth for no reason. Of course, it is their favorite song.

The PerryUndem polling showed that, including limits and policy, does not insulate us from these attacks. So throwing later abortion patients under the bus in policy isn't actually an effective way to deal with this.

What does work is knowing how to respond. We did message testing to find good responses to abortion up till birth for no reason. Our goal was to replace status quo messages that are often used by our side by pro choice advocates and politicians. These status quo responses lean on misinformation and increase abortion stigma. They say things like one: this doesn't happen, two: this happens rarely or three: when it does happen, it's for specific heartbreaking circumstances.

What we found is that our responses that pushed back on stigma and myths were as effective or more effective than the status quo messages, and they have the benefit of increasing support for no limits.

So if you're trying to make sense of these charts, you'll see that the placebo is in gray on the left, and then you see the drop in red which is just people hearing, like the worst version of oppo rhetoric you can think of, and then either our messages, which are in blue, or the status quo messages which are in yellow.

So after we shared our findings with the larger field, some of our partners pushed back a little bit. They said, these messages are great, but they don't feel quite as strong like hot seat moments, such as Congressional hearings.

So we watched hours of game tape where very smart legal scholars, doctors, and lawmakers were asked this question in Congress about whether they support abortion up until birth. Usually by Senator Kennedy, who loves asking this question. It is this man's literal favorite song. Most

people who were asked this question struggled to effectively respond. Some were visibly flustered, and almost everyone retreated to the familiar status quo responses.

So we developed a test with a novel approach to find better ways to respond. We tested a rebuttal scenario, using meme-like images illustrating a back and forth with old man Kennedy. And we found responses that not only neutralize the opposition, but strengthen support and move audiences toward projecting abortion bans altogether. That is to say, these hot seat moments with the right responses are not traps and, in fact, are opportunities to actually gain ground.

One more recent message test project that I wanted to mention. The purpose of this project was to expand people's understanding of who is affected by abortion bans. Abortion seekers are obvious, but our concern must grow to include all of the people who are caught up in the web of abortion bans, particularly viability bans.

There's a broader story that when told clearly and simply is effective at strengthening people's opposition to bands. The story is simply this: "Abortion restrictions provide a legal basis for the State to have control over pregnancy. This leads to punishments and harm instead of health and safety."

We tested messages that connect the dots between abortion restrictions and criminalization to see how this narrative impacts people's support for any legal limits on abortion. Our testing showed that messages that mention the legal consequences, like criminal and civil punishments, are effective at reducing support for government imposed restrictions, and when we included micro stories, it helped people connect the dots even more, and understand how limits on abortion can be exploited to investigate and punish people beyond abortion.

For instance, this is a formula that we found that was very effective:

"Pregnancy loss should never mean a prison sentence, but laws that restrict abortion provide a legal basis for the state to have control over pregnancy. This stands in the way of health and safety. For example, a woman in California suffered a stillbirth when she was eight months pregnant. At the time, she was also battling addiction and homelessness. The hospital found meth in her system, and reported her to the police. Instead of offering grief, support, or treatment, authorities charged her with murder. Government interference just made a bad situation worse, and abortion laws paved the way for it. Banning abortion is not about health and safety. It's about controlling people. The only humane abortion ban is none at all. We need to make sure people have access to the care they need, not punishment."

One more thing under helplessness. For years, we've been told that the public did not agree with certain ideas. Something we hear a lot is some version of the problem is that the anti message is so simple and ours is so complicated. Maybe you've heard a version of that before.

First, it is very complicated to try to explain that bans are bad, and we shouldn't allow some of them. But the other issue is that the repro field has a lot of doctors and lawyers talking on our behalf. And when we looked at messages that didn't test well, we were seeing that the reading level was also very high, like, you need a college degree to understand the message most Americans read at an 8th grade reading level, and it might even be a little bit lower now.

So we use a tool called Readable, which scores text in real time. So you can adjust or tweak it as you go. So here, I took that Planned Parenthood message. You can see that the original is a bit high, up at 11th grade and reaches 75% of Americans. Not the worst. However, by making small adjustments, breaking up long sentences, avoiding clauses and using simpler words where possible, we can reduce the mental load required to read and understand that message. The readable version of their message reaches 100% of Americans and scores at a 6th grade reading level. This is today's... if you take nothing else from this presentation tip, today's is use Readable.

So recommendations for better communications when talking about later abortion center the values of care and safety, freedom and authority, take opposition rhetoric on boldly by challenging the premise and the motivations of anti-abortion goals. Three: do connect the dots to wider implications of bans beyond abortion, and four: again use accessibility tools like readable.

The last challenge I'm going to talk about is the central challenge that underpins all of these, and that people get very mad about when we suggest it, and that is that we simply have different goals. And no abortion platitude lays it bare more than we simply have different goals than Roe is the floor.

This is the idea that Roe set a minimum standard for abortion rights, and that was fine, because States were welcome to go further to protect rights or access. Roe is the floor suggests that row is a strong foundation, but what they don't say is that central to that foundation is the idea that at some point the State's interests in a pregnancy can outweigh an individual's interests, and with it, their rights and bodily autonomy.

If we situate abortion decriminalization within the larger struggle against policing and criminalization broadly, we start to see how ceding this ground to the State is really really bad.

As illustrated on screen here by this infographic created by interrupting criminalization and the center for advancing innovative policy, if our field was part of the larger PIC abolition and decriminalization movement, seeding bodily autonomy and the permission to criminalize pregnancy at any point would be unthinkable to us.

Roe is the floor if the house you're building is getting the Government's permission to have some abortions. But if the house we're building is reproductive justice, there are different demands of that foundation.

Then we have to start with human rights, not some negotiation with the State and the right has to come with resources that people require to actually access it.

So when someone says, Roe is the floor. I know that we're not building the same house. We have different goals and that just is what it is. Maybe we can work together here and there, but it means there will be times when we are in conflict.

Now, unfortunately, Roe was a solid floor for the anti-abortion movement to make incremental steps toward personhood over the past five decades. In their national platform, they're not even talking about abortion anymore. They are all in on fetal personhood, which is the idea that a fetus is a person under the law, and the repro movement has failed to challenge this central premise of their argument in our own laws. Instead, we are accepting this central premise of government control as long as there are exceptions for people accessing care prior to potential fetal viability.

But let's ground this in reality for a second. You are all likely familiar with the tragic case of Brittany Watts in Ohio. Watts suffered a miscarriage later in her pregnancy at home.

She went to a local hospital for help, but the same nurse who performed support reported her to the police. Authorities charged her with a felony, specifically felony abuse of a corpse.

When this happened, abortion advocates were rightly outraged. We saw many reproductive rights groups come out strong with messages like this never should have happened, implying it was prosecutorial overreach and suggesting that the State had no legal basis for arresting her.

Well, now, let's look at the law. On screen is text from Ohio's criminal code which explicitly names viable fetuses as full people under the criminal law. This gives prosecutors discretion to apply any law to a fetus that has reached quote 'the stage of viability'. And then around the same time, as Watts' case, advocates in Ohio decided to protect abortion in their constitution through a ballot measure. This was Ohio's issue one which was adopted by voters last year.

The language of issue one now in the Ohio State constitution protects abortion, but only prior to potential viability, meaning pro-abortion advocates, healthcare providers, and lawyers reinforced the importance of this line in Ohio law, not just in statute, but in their constitution.

The judge in Watts' case noted the importance of fetal viability in determining whether her case should continue. And again, she's not charged with abortion. She's charged with abuse of a corpse.

So the central question of the case was, was her fetus a corpse or a deceased person under Ohio's criminal law? The judge said "there are better scholars than I am to determine the exact legal status of this fetus corpse, body birthing tissue, whatever it is matter of fact, I'm assuming that's what issue one's all about: at what point something becomes viable."

So, the judge acknowledges the relevance of viability in the State's abortion law when determining fetal personhood, and whether to charge someone with a serious crime.

Ultimately, thanks to immense public pressure, the charges against Watts were dropped. In a rally, she stressed that she didn't want anyone else to have to go through what she did because, as Watt said, on the record, as the old saying goes, history repeats itself.

Of course there are other ways to allow abortion without at the same time protecting the State's right to criminalize people. Take Colorado. Here is text from the Reproductive Health Equity Act or REA. It affirms a fundamental right without limits, and then explicitly prohibits state and local entities from denying, restricting, interfering, discriminating, depriving through prosecution, punishment or other means, not just the ability for someone to access abortion, care, but adverse pregnancy outcomes as well.

REA was passed in 2023, and then in the ballot measure that the advocates in Colorado are putting forth this year, they are striving to end the discrimination of abortion and health insurance coverage. And because they didn't already discriminate against later abortion and their abortion rights laws, it means that should this amendment pass, later abortion seekers will have the same access to insurance coverage as anyone else.

Given that later care is the most expensive, and folks are unlikely to have the resources to pay for it, this is a huge deal. Send that campaign a few bucks if you have them. They're doing pretty incredible work out there.

So, recommendations for demanding better goals. Don't be silent while anyone is thrown under the bus. Look to States like Colorado, Vermont, and Oregon for models of excellent model abortion policy. Plug into the larger decrim/abolition movement. You can check out interruptingcriminalization.com for readings, resources, and tools to learn and engage, and depending on where you are in the spectrum to hopefully evolve.

Speaking of interrupting criminalization, currently one of their founders, Miriam Kaba, is currently hustling to help Palmetto State Abortion fund raise money, and she needs help raising money. So if I've said anything helpful tonight, and you're interested in throwing me a tip, please head on over to Palmetto State Abortion Fund and throw them some money. I would deeply appreciate it, and I know they would, too.

Before I end, I would invite you all to check out abortionjustenow.com. This is an effort by longtime RJ Organizer, Pamela Barrett, who runs, as I said, earlier, medical students for choice, all tri providers, doctors, Jennifer Villa Vicencio, and Colleen McNicholis, and then Garen and myself. What we have learned is that making our case privately or behind closed doors has not served us, and it certainly hasn't served later abortion seekers, patients or providers. Or anyone who has been criminalized during or as a result of pregnancy.

So, Abortion Justice Now is our attempt to bring this argument into the public square for engagement, and hopefully as a tool for large, well-funded organizations to evolve from beyond Roe in the streets, Roe in the sheets to actually making the decriminalization of abortion a non-negotiable value.

Please read it. It's long, I know. But please read it if you're interested. Also, if you're interested in reading more about the process of making this thing. All of us recently talked to Andrea Grimes for her most recent newsletter. Hopefully, someone is sharing a link to that in the chat. I would share that as something to read as well.

And then, before I stop my screen share, I want to share this QR code, which takes you to WhoNotWhen and probably too many resources. But hopefully, there's something there for everybody. You can find fact sheets and a discussion guide, a media guide, all kinds of fun stuff for helping to progress the needs of later abortion patients.

And of course, obviously, please reach out anytime. Open door, erica@patientforward.org if anyone ever wants to talk through any sticking points, or if anyone is looking for collaboration on how to move your organization, or if there's a resource that you wish existed. Please do reach out and we'll do everything we can to get it, and if it doesn't exist, to help you make it.

Okay, I'm gonna stop my share.

AB:

Good Lord Christensen. Just insane.

EC:

God! I know.

AB:

Wow! Oh my God, I don't even. I mean...like, I just want this person to be unleashed on the world at the highest level. Everything that you say is so undeniable. And it's so fucking smart and so just beautifully values based. It's just like I just want you to be on blast and it's honestly like you just said so...like what you just laid out such a dense set of information. I don't have my usual like...Let's bullshit about this. I'm like, I don't really have questions like you. You've handled them all every time I wrote one down it was like, Oh, about that. So fucking hats off, you genius!

EC:

You know I appreciate you. Thank you very much.

EC:

There! Can I...

AB:

So there's a comment that..

EC:

Yes.

AB:

Were you going to read the comment? That's-

EC:

Well, I'm getting schooled. I'm getting schooled in the QA. And so I wanna maybe uplift that one first. This is so great everybody.

Lee shares: FYI, if readable isn't available to some folks due to cost, Hemingway is a free accessibility tool that I use to get docs to a fifth grade reading level. There are paid versions where it will correct your writing for you. But the free version just flags issues and errors. Good to know. I'm gonna add that as a resource, Lee. Thank you so much. That is again Hemingway. So cool.

AB:

Yeah. And then the question, we just have one question in the chat. But please think about if any stone has been unturned by Erica, that you'd like her to address. Put some stuff in the chat.

EC:

Okay, I can also address this question in the Q&A from Constance. Is that okay?

AB:

Yeah.

EC:

Constance asks, Do you have any tips? Better practices regarding messaging and framing towards BIPOC communities and/or immigrant and multilingual communities talking about decriminalization and protection of rights?

I will just say that we oversample communities of color in our testing, and we feel very confident that our messages are appropriate for all communities.

When it comes to messages in other languages. However, we are experts in arguably nothing, but certainly if we are, it's in English. So I wouldn't pretend. I think while we do have a lot of resources on WhoNot When that we went through a whole process to have it translated, we realized that people, you know, seem to be really struggling with Spanish translations. So for our fact sheets and things like that. And our basic website of WhoNotWhen, we had two different translators from different regions translate everything. And then we paid someone to look at both and make recommendations on the differences, and help us understand as noobs who

Speak one language what the sticking points are, and then helped us make informed decisions about which way we went.

That said, it is still not as good as resources made by native Spanish speakers. So I would point folks to organizations or advocates who speak whatever language you're looking for natively, or as a fluent language. I'm afraid that I'm not going to be the expert on that one. But I'll say we do have a version on WhoNotWhen both in Spanish and oh, and then we also have a sign language version of the whole site. If you go to WhoNotWhen, it links to Youtube and there's a series of videos with all of the information translated in ASL.

But I apologize that I don't have better resources or better answers to your question to Constance.

AB:

It's really cool that you, as you say, over-sampled non Native English speakers. I forget if that's the term that you used and-

EC:

Still English language speakers.

AB:

Okay, okay. I mean, one thing that hits me about immigrant communities, slash undocumented communities is like the movement for mutual aid that serves those folks. The movement to protect those folks. That kind of community aid is very much, I think, centered around the idea that, like the law, is not doing the right thing a lot of times, and that we know what the right thing is, and that people's dignity and human rights are inherent. And I feel like I don't know. I feel like as abortion work gets more like in those directions, there's like a lot of crossover there.

You know, I think also, like trying to, with regulations that are trying to make us afraid to help each other. I'm not talking about later abortion. Right now, I'm talking more about stuff around pills and that kind of thing. But Republicans are also introducing bills that are like, you're not allowed to give someone water in the desert. And you know, fundamentally, this is just not something that human beings are down with. And I think that that's like what strikes me the most about your presentation, sort of overall, is it feels so airtight, so unassailable, like the only way that you can deny that the only good abortion law as a blank sheet of paper, after like hearing everything you just said is if you're an evangelical, who believes that every embryo is like equivalent to a life or whatever, in which case we don't live in a theocracy, and you're not allowed to make that call for other people, and we're not going to make that call for you. But like, have a seat. And beyond... And even those people have abortions like obviously, but like it just feels like the emphasis on freedom and just on like lack of government intervention. I'm like, this is something that, like Conservatives can be comfortable with like deeply-

EC:

Thank you for bringing up conservative. I will say a quick note about Conservatives is we found during that connecting the dots criminalization messaging memo, we found that talking about criminalization and the effects of abortion bans on wider communities chilled the enthusiasm from die hard antis. It didn't get them all the way to our side, you know, but it chilled their enthusiasm. That's good.

AB:

Right. Yeah, absolutely. There was a thing that you said that I think really like..I just think of this working on Conservatives so much. I think it was when you were talking about Brittany Watts. But you said government interference just made a bad situation worse. You know, and like, I think that that's pretty inarguable in these cases, and I remember the first time I talked to you, and I was like asking you about tough situations where people end their pregnancies like later in pregnancy, and then are charged with infanticide. And I felt so lucky that I knew I could like ask you anything just like philosophically, or just like brass tacks about the questions that were coming up for me, as I was like seeking to sort of find the edges of my own personal philosophy on these things, and ultimately you were like, who does punishment serve in these cases?

And the answer is no one, you know, and I think that that's also really compelling just like it's... it all like this is all framed, as you say this, too, like it's framed as so complex and so untouchable. But it's like, really...it's really, really common sense, you know, like that the blunt force of the law, and like the government has no...there's no, they have no business, not even they have no business, but they have no like skill set that would qualify them to intervene in these complicated situations, and that doing so does nothing but make bad situations worse, like just that alone. It's like who can argue with that.

EC:

Well, I'll tell you who can argue with it.

AB:

Yes, tell me.

EC:

The people that are thriving under the Roe. V. Wade Industrial complex. That's who has no issue with it. I was saying, there was a lot of people who make a lot of money over squabbling over this problem. So there is no incentive to solve the problem because they make so much money and gain so much power of ensuring that they get to squabble in courts forever, right?

AB:

Yeah? Who?I mean, that's like such a cynical... It sounds so cynical. Yeah, it sounds so cynical, but it like really is, unfortunately, the reality that I think like these, like big box repro orgs, are just simply not trying to solve the problem. They're trying to subsidize their own existence in perpetuity. And they need a problem in order to exist right?

EC:

We don't have other problem. Here's the thing. What you just said. The problem. We have so many problems. Where is that coming from?

AB:

Do you think that it's coming from like honest like the call is coming from inside the house? Abortion stigma, where these people are just kind of deeply freaked out. And they're like, no, that is bad, though.

EC:

The first version of the later abortion 101 was called The Calling Inside The House. That's what it was called. The first version of the later abortion 101. Literally. I believe that we have to be honest about the role of stigma within our own field, and I think if people are honest, they think we need abortion laws to keep the wrong people from misusing abortion services.

AB:

Yes.

EC::

Therefore the framework of Roe, the partial framework of Roe is actually fine for them. This is why I say, we just have different goals.

AB:

Yeah, yeah, absolutely. Yeah. I mean, okay, so this is like a question. That is, I would feel, I think, that I would feel very annoyed if someone asked me and I also think it's something that you are probably asked all the time, and are very prepared for, and that people are wondering, and that is, if you are in... a person in..what's the State with the worst but abortion ballot measure Missouri? What's the worst one?

EC:

Florida, probably. Arkansas or Florida.

AB:

Okay. So like, if you are on board with everything that you've said here today, and you live in one of those States. Do you vote for the ballot measure?

EC:

Yeah. And I would just say, like...only you know, only you can make that decision. I'm not out here telling people how to vote. I'm just so much more interested in talking about what we do after they inevitably pass, since abortion is wildly popular. Florida does have a higher bar of passage. But let's say they..they pass, I'm just interested in trying to minimize the damage over the next few months, because we know later the worst stigma is gonna happen in the months leading up to the election. So I guess I'm just focused on trying to limit that damage. Try to at the very least, make people scared to run ads like they did in Ohio to see that they don't have to.

AB:

Yeah.

EC:

If you know, that's kind of what our focus is. It's sort of like it's... I'm already like in mid November. I I know that's a cop out answer, but it's just like, what can we do?

AB:

No, it's not a cop out at all, I mean, like.. no, totally. I mean like I don't. If someone asked me like I live in Michigan. Should I vote for Kamala? Even though Democrats are funding a genocide, I'd be like that's a you question.

EC:

Yeah, that's a you question.

AB:

Yeah, I believe that like people's votes are their own moral calculus, and that's why I think that that question is like inherently dumb. But I guess I...you know, I just think about people trying to figure out the harm cost analysis in one of those States, if they're aligned with, like your thinking. You know what I mean, like what-

EC:

And I, you know, and we should have been doing that 6 months ago. But we didn't, because they came out fast. The ballot measures came at us fast. People tried to fight these lines in every single State. People quit their jobs over this. It was a fight in every single state, and don't let anyone tell you it wasn't. Yeah. It was a fight in every single state but they also had people sign NDAs so you're unlikely to hear a lot about it, but it's what.

And we're just sort of like. Well, now that it's done, and there's nothing we can do about it, how can we stop the 'restore Roe' train from going past this November?

AB:

Yeah, I I know. And that makes me think of, you know, like I, I watched Kamala's rollout video today. Soundtrack: Beyonce's Freedom. She talks...Freedom is the theme. She talks about reproductive freedom. I think that's effective. I like the messaging. I think it works. I also..You know, it's like this is related to the question about ballot measures. But like when-

And it's also related to like what you were talking about, like this sort of argument for incrementalism, or like like getting what we can or whatever. Um, what do you say to people who are like don't criticize the home team at this point. because this is so? I mean, I know. But like, say it. What if I'm like?

EC:

I'm a third trimester abortion patient. I have no team. What I'm working on is having less consideration for people who have no consideration for me. That's my journey. Everyone will have different journeys that they're walking. But it is again false to say, I mean, I loved Kamala's video, too. Freedom. Let's do this, but do not compromise on people and call it freedom. If it's freedom, it is freedom and.

AB:

It's unconditional. Yeah.

EC:

It's unconditional, and the thing is like right now, like I was recently asked by a reporter like, you know, isn't it so exciting that, now, you know, there's this like person who is so good at talking about abortion, you know, as the potential nominee. And yes, that is great. Obviously, a ham sandwich would be better at talking about abortion than Joe Biden.

AB:

Yeah, I mean, I'm like, I just don't think it's all so good, though?

EC:

Right? Yeah. The bar is under the floor. But yes, she's genuinely an excellent communicator. But so far what we know about their differences is in style. Policy-wise, we have not heard her cut for any policy beyond what old man Biden, who hate war into sport. So it doesn't matter to me if you can say the word abortion, if you're also saying it should be limited or banned. Again, it's about the substance. I hope that she sees that there is a real once in a generation, opportunity to do something better, and she could. That would be amazing.

AB:

Yeah. And it's like, I mean, it's like you said on Twitter. I believe when you are like, if your dishwasher breaks and you're gonna buy a new one, would you go be like, I'm gonna buy that one from 1976 and/or 1973, and like, just do that again? Even though it fucking broke?

EC:

But that's another failure of the repro field's inability to plug into the larger mission and righteous path of PIC abolition and decriminalization. Because if we could, we would understand that the prison industrial complex of 2024 looks very different than it did in 20...or in 1973. It's like, it's just a completely different mechanism. It's a completely different structure. It's a completely different footprint.

You know the population of women incarcerated has grown like 800%. So to go back to 1973 to look for a solution to today's unique problems makes no sense.

AB:

Right. Yeah. You know, I think about you like all the time when I see Democrats saying fucked up shit. And I just feel for you. And I don't know how much that shit like hurts you in your like...how much it gets to you, or how painful it is but I just have so much gratitude to you for hanging in.

EC:

Thank you. It's a lot better than it used to be. The first few years were really rough, like I will never forget that third debate between Clinton and Trump. where it's like up until birth, you know, made its debut on a national stage, and, like my phone was blowing up of just all my friends and family being like, Oh, my God! I can't believe this is happening. I'm so sorry because it was months after my abortion that this happened, and I just couldn't believe it. It was like it was like a nightmare, like a living nightmare to see that on TV. And now eight years have passed, and it's like become..I have certainly become like much more numb to it. But I'll be honest. What I've realized is that, like, I don't have anything in common with anti abortion advocates like we just fundamentally disagree about every single thing. So they're not really my problem, like, I just, I just like disagree with them on everything.

What is more hurtful is when people who tell me they're pro-abortion, and care about autonomy, health, safety, then say except for you and people like you. That is way worse, and that never stops being hurtful. I will be honest with you. It is way worse from people who are supposed to be the experts, and have been charged and get paid to support this issue. It is much worse. Antis are not my problem.

AB:

Absolutely. Yeah, I've always felt that way, and I don't even have any kind of unique like angle on it, like you do. But I'm like the fucking shots from inside the house have shaved more years off my life than the antis have, even though they've been like threatening to kill me for years.

EC:

A hundred percent.

AB:

And that's a fucking statement about the movement, you know. Yeah, that's I...You know, I. So, okay. Here's a maybe final question. But like when when we see politicians fuck it up, Democrats, and we want and and and we're thinking about Erika, we're thinking about everybody who's just being fucking hurt by this rhetorically, who's being sold out by this potentially in policy? And we want to do something. What do we do? Do we like write a letter to the office? Do we call the office? What's like the action?

EC:

Yeah, I mean, I think, in addition to some actions that I hope were shared during the presentation, I would add that there's so much disinformation that all hands on deck to fight it is actually genuinely helpful. So like we are constantly, it feels like a second job to constantly write to media and organizations, to constantly debunk myths, and I'll be like they keep doing it over

and over again. So it's not for that organization or outlet. It's for the other people in the comments who are reading this. So if you take a second to debunk whatever the central myth of that post is, it is helpful.

AB:

Totally. Yeah, yeah, yeah, I mean, it's like anything else. Like...it's like, how...I mean, I definitely think that movements for justice that have occurred online primarily over the last decade. We have seen people show their work in the com, do that work, that emotional labor to explain why All Lives Matter is fucked up to like Aunt Cindy, or whatever. And I think that we've seen people move, like not to say that those issues are solved, or being like handled correctly by politicians. But people, I think, have been taught like people... kind of people are teachable, and the whole thing about like your presentation is like our side just have hasn't even fucking tried, you know, and they've just sort of like been like stuck in this completely unsubstantiated position that like ...and that's not something that people will accept.

And I think that, like, yeah, your presentation just like breaks down how how folks can like go out and be ambassadors for like just like building in a more kind world for later abortion patients in the same way that, like, I'm not gonna fucking abide seeing my family members say, some racist shit on Facebook. It's like, part of you know, it's like like-

EC:

It's the gig!

AB:

It's yeah. It's the gig. And like, you need more hands on deck who aren't actually talking about their own lives in a way that's unfathomably painful, you know. I think that, like you're doing an incredible service by training people to be advocates for people like yourself. And it's so compelling. I have no doubt that, like it will work, and hopefully it will like take some fucking weight off your shoulders, you know.

EC:

And we can help each other like something I've done is like when I see somebody say something great, or make a great rebuttal, I copy it and paste it on a note, and later I use it.

AB:

Yeah.

EC:

It's like, Oh, this person already did this great work. I'll take this one, you know. Not that I'm not saying everyone should fight the trolls. I'm just saying like in the moment that it matters like, especially in things that are meant to be informational. If you know that the information being shared is misinformation, just like...

AB:

Yeah, correct it.

EC:

Yeah. All hands on deck is right.

AB:

Is there anything that you didn't get a chance to say that you'd like to say slash are there any ways for us to support you aside from what you've laid out here?

EC:

If you feel so compelled, take a minute with the abortionjusticenow.com memo. All of the arguments are there. If any of it is challenging, or you feel like maybe invites further conversation, have those conversations. There's always, you know, evolution to happen for everyone, and depending where folks are. Hopefully, it can be one tool in the evolution toolbox. So I guess I just... I leave that as the last thought, check out Abortion Justice Now. Read it, and if you work within an organization, and you feel there's a path there to your organization signing on, please give it a shot.

AB:

Hell. Yeah, we will absolutely do that. And yeah, thank you, Erika.

EC:

Thank you! Thank you for being Shout Your Abortion. You guys are awesome.

AB:

Well, we're obsessed with you, and I can't really even say anymore without just crying.

EC:

Thank you. Thank you. Thank you so much, and, thanks to everybody who came on and listened. Appreciate it.

AB:

Thanks everybody for being here, and we'll see you at our next session with inroads which again there's a different time zone. And we look forward to seeing you, and probably a whole bunch of wild shit will happen between now and then, cause-

EC:

Can't wait.

AB:

Okay, thanks, everybody. We love you, Erica. Bye.

EC:

Bye, bye.