

How Ohio ballot Issue 1 became an abortion battleground and a bellwether for 2024

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WASHINGTON — The eyes of the nation are on Ohio as voters in the state head to the polls in less than two weeks to decide on an abortion ballot measure that has the potential to rock the state and send a message to the rest of the country.

Since the Supreme Court overturned Roe v. Wade last year, abortion activists have been on a winning streak, with voters in six states either passing measures to protect reproductive rights or rejecting efforts to restrict them.

But next month, Ohio voters will consider Issue 1, a measure that would enshrine abortion rights in the state's constitution through viability, typically around 24 weeks gestation. After that, a doctor could perform an abortion to save the life or health of the pregnant patient.

Ohio is the only state to have an abortion measure on the ballot this fall.

Last year, a measure in the state that supporters call the “heartbeat bill,” which banned abortions after about six weeks, went into effect. But a judge in the state later placed the law on hold and restored abortion access in Ohio until 22 weeks of pregnancy.

For the past several months, groups fighting to restrict and protect abortion rights in Ohio have knocked on thousands of voters’ doors to mobilize residents of the Buckeye State.

But regardless of which group is victorious on Election Day, Christopher Devine, associate professor of political science at the University of Dayton, told USA TODAY that the vote will “send a strong signal to the rest of the country about the abortion issue.”

"If Ohioans—who voted for Donald Trump twice, by 8 percentage points, and overwhelmingly re-elected a strong pro-life Governor in Mike DeWine last year—are willing to take this step, it would be a strong signal to other red states that voters there might support pro-choice constitutional amendments if given the chance, as well," he said.

'Afraid to be pregnant': Activists working to protect abortion in Ohio fear the return of restrictions

Activists supporting Issue 1 fear that failing to pass the measure could result in the reinstatement of the state's previous restrictions.

Kellie Copeland, executive director at Pro-Choice Ohio, told USA TODAY that some Ohio residents told her they were scared under the former six-week ban.

"There were so many people I knew who were pregnant at the time or had been struggling with fertility issues, were trying to get pregnant, and talked to me about how they were afraid," she said.

"They were afraid to be pregnant in Ohio because they were afraid if something went wrong, that their doctor wouldn't be able to legally help them. And that just should never happen anywhere in the world, but especially a state like Ohio," she said.

Even without the previous abortion measure in effect, Beth Long, a 34-year-old oncology nurse from Columbus, Ohio, still traveled out of state to get an abortion because she said her health insurance didn't cover it in Ohio. Her daughter had Limb Body Wall Complex, in which organs would grow outside of her body.

"I can't imagine it being worse than what it already was for us," she said, calling for Ohio to be a "safehaven for women of the Midwest."

Some of Ohio's neighboring states have implemented strict abortion measures since *Roe v. Wade* was overturned. For example, abortion is banned in Indiana except in cases of some severe medical emergencies, and in the case of rape or incest up to 10 weeks post-fertilization.

West Virginia and Kentucky have also enacted restrictions on abortion with narrow exceptions, such as severe medical emergencies.

Dr. Aziza Wahby, the treasurer for Ohio Physicians for Reproductive Rights and a dermatologist, said during the previous ban she saw patients who needed medication to treat conditions like arthritis and had difficulty getting those drugs because they're abortifacients.

"Women's health care is being put on the line, there isn't even a question about it...women aren't going to want to come here to start a family knowing that it could be unsafe for them and all of the options for fertility treatments may not be available," she said.

Ohio Physicians for Reproductive Rights is a member of Ohioans United for Reproductive Rights, which placed the measure on the 2023 ballot and is leading the campaign for it.

Dr. Bill Roddick, the director of an abortion clinic in Ohio, told USA TODAY patients also scrambled to seek abortions in neighboring states after Roe v. Wade was overturned.

“It was just sort of gut wrenching, knowing that you had the tools and the ability to help someone but that you just, just the laws of your state prevented you from doing it,” he said.

'Ground zero for this issue': Anti-abortion advocates fight back

Groups opposed to Issue 1 are leading their own fight against the measure, which would provide more concrete protections for abortion in the state by relying on a constitutional amendment.

They also have an ally in Ohio Gov. Mike DeWine, who signed the six-week ban into effect and has been opposed to abortion throughout his career. DeWine told USA TODAY he believes Ohioans can find a place to resolve the abortion debate and come up with a compromise, and that can't be done until Issue 1 is defeated.

Peter Range, CEO of Ohio Right to Life, agreed, noted that the measure "shuts off all debate, because it chooses one extreme of this abortion issue and it's cemented into our Constitution."

For Austin Beigel, president of End Abortion Ohio, Issue 1 touches on his faith and background. He said his experiences as a veteran and father of three have also taught him “to love life more and love people more.”

What also drives Beigel in the anti-abortion fight are the stories of women who have gone through abortion and later “regretted it,” he said.

“You hear those stories from women who have gone through that and made those bad decisions and it's heart-wrenching,” he said.

Michael Gonidakis, president of Ohio Right to Life, forecasted that Ohio's abortion ballot measure could send a signal to his fellow advocates outside the state.

“We are ground zero for this issue for the nation, and the outcome is going to have ripple effects across the country for their efforts (and) our efforts to stop them,” Gonidakis said.

Though activists in favor of abortion rights won on ballot measures in six states last year, Amy Natoce, press secretary for Protect Women Ohio, said

that the situation in Ohio is different. For instance, she said those states had a “quick turnaround” from the time Roe v. Wade was overturned to the midterm elections in November.

“We've had a much longer runway to hone our messaging, to fundraise, to build out a coalition and infrastructure, to build out a ground game.” Natoce said. “We've had a very different timeline.”

In 2024, voters in Maryland and New York will vote on amendments to their state constitution that could strengthen access to abortion. And advocates from Arizona to Florida are also pushing similar efforts, with a close eye on Ohio as voters in the longstanding swing state consider the issue.

Will Ohio voters pass abortion protections, or reject Issue 1?

So far, polls have found that a majority of Ohioans support Issue 1.

A poll from Baldwin Wallace University conducted between Oct. 9 and Oct. 11 found that 58% of likely voters for the November 7 election favor passage of Issue 1. The measure is favored by 89% of Democrats, 39% of Republicans and 51% of independents.

A USA TODAY Network/Suffolk University poll from July also found that about 57.6% of Ohio voters support the abortion rights measure, while 32.4% oppose it, and 10% were undecided.

Devine said he expects the trend will stay the same, noting that “abortion is one of those issues where it’s awfully hard to change people’s minds, at least on a large scale and in a short period of time.”

The impact the measure will have ahead of the 2024 election will depend on its outcome, according to Mark Smith, the director of the Center for Political Studies at Cedarville University.

“During the past year, it is true that where abortion has shown up on statewide ballots, the pro-choice side has won,” Smith said. “If that happens again in Ohio, it will continue to reveal the fractures within the Republican Party on the issue. This will be a significant story for 2024 as presidential and congressional candidates seek to navigate the issue. Donald Trump is already moving away from staunch pro-life positions. If this trend continues, I would expect other Republicans to do the same.”

But Steven Steinglass, a constitutional law expert at the Cleveland-Marshall College of Law, warned that “an issue like reproductive rights is not a purely partisan issue.”

"There's broad support for reproductive rights for women," he said. "The fact is that Roe v Wade has great support and the decision of the U.S. Supreme Court to overturn Roe v. Wade has meant met a real firestorm of opposition as exemplified in several recent elections."

Referencing Ohio's reputation as a "purple" state, Devine predicted that if the measure passes, what it "would show is that even a lot of Republicans in Ohio—people who are willing to vote for Donald Trump, Mike DeWine, or (Ohio Senator) J.D. Vance—actually disagree with the party on the issue of abortion and apparently support Republicans for other reasons."