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GRAYSON DEMPSEY
EXECUTIVE DIRECTOR AT NARAL PRO-CHOICE OREGON

DEMPSEY, from page 4

threats to women's reproductive rights, such as the recently-imposed domestic gag rule and the U.S. Supreme Court's June 26 decision in *NIFLA v. Becerra*, which gave religiously-motivated pregnancy crisis centers the right to exclude abortion from the options they present to pregnant women.

Many of these crisis centers masquerade as health clinics and have been found to give women misleading information about abortions. A 2015 NARAL Pro-Choice America undercover investigation revealed a widespread pattern of medical misinformation being conveyed to pregnant women who visit these centers. For example, according to its report, "Crisis Pregnancy Centers Lie," one woman was told she would be 400 times more likely to get breast cancer if she had an abortion.

There are eight pregnancy crisis centers operating in Portland and 44 in Oregon, according to crisis center Lifecall's website.

Emily Green: *What exactly does Roe v. Wade do in the first place?*

Grayson Dempsey: *Roe v. Wade* made abortion legal in this country because of a right to privacy, meaning a woman had a right to make decisions about her body under the right to privacy, up to the point of viability of the pregnancy, which is generally deemed to be around 24 weeks.

Before that, states had individual laws on the books that made abortion legal in some states but not legal in others. That's why the general assumption is that if *Roe v. Wade* were flat-out overturned, it would kick the matter back to state legislators. A lot of anti-abortion advocates have used that as sort of a caveat to say, "It wouldn't criminalize it across the nation, it would just kick it back to the states, and then the states could decide." That's a way to make it seem like it wouldn't be such a horrible thing, but there are four states right now that have trigger laws, so if *Roe v. Wade* were to be overturned, they would instantly make abortion illegal.

In many states there is nothing in statute saying abortion is legal. I think that if *Roe v. Wade* were to be overturned, there would be a lot of legislative fights at the state level about which states could and couldn't provide abortion services.

E.G.: *If Roe v. Wade were overturned, what effect would that have on Oregon's laws?*

G.D.: In 2017, we passed the Reproductive Health Equity Act (House Bill 3391). One of the most historic things it did was codify the right to legal abortion in Oregon – and we were aware at that time that something like this could happen.

It was right after Trump had been elected and Neil Gorsuch had been confirmed, and there was starting to be a real concern about a situation in which the Supreme Court could potentially reverse a decision on *Roe v. Wade*, so with the Reproductive Health Equity Act, we put measures into place to protect abortion here in Oregon. With that said, we (at NARAL) are in the process of doing some legal analysis of how a Supreme Court ruling on abortion, if it were to be completely overturned, would impact Oregon's abortion laws.

I've been getting a lot of questions assuming the Supreme Court decision would be an absolute reversal of *Roe v. Wade*, and one of the things for us to realize is while that may happen, there could just continue to be decisions that undermine women's ability to access abortion.

In that case, our laws could be threatened in ways I can't even speculate about.

The Supreme Court could pass a decision that isn't a complete reversal of *Roe v. Wade*, but that says now abortion is no longer legal past 12 weeks, or that all clinics have to be set up as ambulatory surgical centers, or that federal funding will be pulled – this is what's happening right now with the gag rule.

I think Oregon is in a great position, one of the best in the country, to protect our reproductive rights and our access to abortion, but I also know that there are threats out there that we can't know how to respond to in Oregon until they appear.

E.G.: *Have you been feeling a greater sense of urgency this past week, or have you been feeling the same sense of urgency since November 2016?*

G.D.: I've been in some state of full blown panic since November of 2016, but I do think it was just such a shock to see the kinds of decisions that the court was issuing last week, with the travel ban, with *NIFLA v. Becerra*, with *Janus v. AFSCME*. I think that even if Justice Kennedy hadn't retired, last week would have really reminded us that we are living in a time when we have a Supreme Court that is not standing up for the values of the majority of Americans, I think that really did ratchet up the heat on that feeling of urgency and panic.

I've been doing this work for 19 years, and I know that every time there's a

Supreme Court nomination, *Roe v. Wade* comes up, because it is one of the most pivotal of decisions, but I do think the Trump administration has shown itself to be the most hostile to reproductive rights in modern history, and knowing that now in his first two years he's going to have the ability to appoint two justices, with the potential of appointing more – yeah – I feel like the pressure feels greater.

E.G.: *Are there any cases working their way up through the courts right now that could potentially be the one that overturns Roe v. Wade?*

G.D.: The opposition is not being quiet about the fact that they have passed some laws and are challenging some cases because they are working toward the case that would potentially overturn *Roe v. Wade*. There are bills right now that have been passed that could be laying the groundwork.

E.G.: *We won't know until July 6, the day this article publishes, if the initiative to stop publicly-funded abortions for low-income women in Oregon (Initiative Petition 1) will have enough signatures to qualify for the November ballot. If it does, what parts of Oregon's Reproductive Health Equity Act and other reproductive-health laws will it threaten?*

G.D.: Initiative Petition 1 and the Reproductive Health Equity Act impact different communities. Reproductive Health Equity Act impacted private insurance that was purchased through the Oregon exchange, and IP 1 would amend the constitution to ban public funding for abortion care, which would mean women who are covered by Medicaid and state employees who are covered by publicly funded health plans.

We had a great victory last year for women covered by private insurance, and what the proponents of IP 1 are doing is trying to attack people who are often the most vulnerable, meaning women who are covered by Medicaid and state-funded health plans. The legislature really took a bold step in codifying women with private insurance's right to have no cost sharing for reproductive health services, and the proponents of IP 1 are using this ballot measure to really try to attack all of the people who are not covered by House Bill 3391.

E.G.: *Are there other local threats to women's reproductive rights?*

G.D.: There are constantly anti-abortion bills introduced into our legislature, but we have a pro-choice majority that doesn't let them see the light of day.

It's important for people to remember that we don't live in a pro-choice utopia where we don't have to fight those things off all the time. If the makeup of our legislature were to change, I think we would see more threats to abortion access and reproductive healthcare.

Another really big threat facing us is the Title X domestic gag rule, where we could potentially see clinics choose between losing their funding and being able to offer medically accurate information to their patients, as well as how crisis pregnancy centers are going to be emboldened after the *NIFLA v. Becerra* decision. We know crisis pregnancy centers will often set themselves up across the street from Planned Parenthood clinics or give themselves names that sound more like health clinics than politically- and religiously-motivated counseling centers. I think with the decision of the Supreme Court last week, that's a real threat. Those crisis centers are everywhere, and Oregon is no exception.

E.G.: *Can you give me a sort of menu of things the average Oregonian can do to help preserve local access to reproductive health care at this time?*

G.D.: It's making sure they're registered to vote, paying attention and holding their representatives accountable. We would love it if people would join NARAL's email list, get involved and make themselves available for us to share information with them. They should support, through volunteerism and through donations, local organizations that are doing this work on the ground in Oregon. It's all of the things that people have probably said a hundred times, but that's what really makes a difference.

After the 2016 election, we got flooded with volunteers, which was great but what we needed is for people to show up, not in November, but when legislative session started. There was an apathy gap – they were fired up in November, and not so much six months later.

We need people to pick up the phone and call during really critical times, or write a letter to the editor or be part of a canvass day where we go out and talk to everybody in a particular neighborhood.

Want to get involved? Visit: prochoiceoregon.org and click Take Action