

Voice for Choice

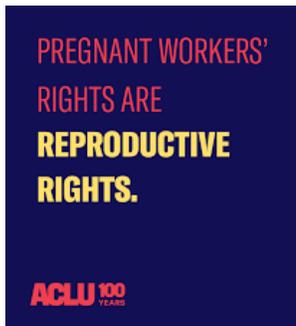
Newsletter of the Kentucky Religious Coalition for Reproductive Choice

Winter 2021

2021 Legislative Preview

by Angela Cooper

Angela Cooper serves the American Civil Liberties Union of Kentucky as Communications Director.



We made it through an election unlike any we've seen before. It was the first in our lifetimes to occur during a global pandemic, and one in which a record number of Kentuckians voted by mail. For the first time in our history, ACLU of Kentucky participated in a massive voter engagement campaign, running text banks, postcard mailings, and grassroots outreach to inform Kentuckians of their rights. The campaign was enormously successful, and we helped engage many voters whose right to vote was restored in 2019 by Governor Beshear's executive order. Making voting more accessible was the right thing to do, and these changes should be made permanent.

Now it's time to pivot and focus on the road ahead. The Kentucky General Assembly has some new faces, and state lawmakers who frequently support bills that erode civil liberties expanded their majority in Frankfort. Reproductive choice is likely to be a key focus in the 2021 legislative session, and two bills that would restrict or outright deny Kentuckians' rights to abortion care have already been pre-filed.

Reproductive restrictions often fall into three categories: bans on certain medical

Cont. on page 3.

SCOTUS and the Future of Abortion:



... an Educated Guess ...



Laura Landenwich



Jamie Abrams

Join KRCRC by Zoom at **4 pm on Sunday January 24** as we commemorate the 43rd anniversary of Roe v. Wade.

Discussing "SCOTUS and the Future of Abortion: an Educated Guess" will be two lawyers specializing in reproductive rights: Louisville attorney **Laura Landenwich** and U of L Professor **Jamie Abrams**.

We'll hear the views of each, then open the forum for your questions.

To register for this Zoom event, go to tinyurl.com/scotusguess.



Kentucky Religious Coalition for Reproductive Choice

More information on page 2.

Wayne's Words

by the Rev. Wayne A. Gnatuk

Wayne A. Gnatuk is Chair of the KRCRC Board of Directors.

Two words are at the top of my mind: gratitude and hopefulness.

Gratitude: We have now finished our KRCRC "Choice Treasures" online silent auction, and it is my pleasure to share with you that we raised \$3,000 through the sales of 109 different items. I cannot thank you all enough! Many of you donated "choice treasures" for us to sell in the auction, and all of us at KRCRC are very grateful! And many of you bid on the lots that tickled your fancy, resulting in the \$3,000 of income, and again, all of us at KRCRC are very grateful! THANK YOU!

During the last two years, we've been working to increase KRCRC's impact in the reproductive justice arena. As I've written previously, we're working to expand our geographic presence, beginning new "chapters" in other areas of the state. We're also working to enlist more and more faith communities in our efforts to advocate for reproductive freedom. The pandemic has slowed our pace considerably, but as a vaccine becomes available, we'll continue our work on your behalf.

It is critically important that progressive people and communities of faith raise their voices to counter the lopsided naysaying of the religious and political right, who continue their misogynistic endeavors to control the bodies of women. We cannot allow it!

Hopefulness! As dedicated as all of us on the KRCRC Board are to advocating for reproductive justice, we cannot begin to meet the challenges of the moment without the financial support of everyone in the larger pro-choice community!

To that end, you should have recently received a letter from me. It's our annual fundraising appeal, and I am hopeful that you'll respond generously if you haven't already. We are counting on you to financially facilitate our work.

Gratitude and hopefulness: I'm filled with both. Thank you, each and every one, for support past and future!



Rev. Wayne A. Gnatuk

KRCRC to Commemorate Roe v. Wade with Jan. 24 Zoom Event

Join KRCRC at 4:00 pm on Sunday Jan. 24 for a Zoom forum, "**SCOTUS & the Future of Abortion: an Educated Guess.**" The forum will begin with two speakers giving their "educated guesses" on this topic, and will then include ample time for Q&A. **Registration is required for this event; go to tinyurl.com/scotusguess to sign up.**

The event will feature two attorneys specializing in the area of reproductive rights.

Laura Landenwich is a founding member of the Louisville firm Adams Landenwich Walton PLLC. She focuses her law practice on employment discrimination and civil rights litigation, representing clients who have been the victims of bigotry, ignorance, and the abuse of power. Laura argued the Kentucky marriage equality cases at the Sixth Circuit Court of Appeals in August 2014, which later led to the landmark Supreme Court opinion in Obergefell v. Hodges. She has worked as a cooperating attorney with the ACLU of Kentucky, represented reproductive healthcare providers in their efforts to keep healthcare available to Kentucky women, and has successfully represented inmates in county

jails who suffer inhumane conditions of confinement and other abuses. Laura has been recognized by her peers as a Top Lawyer (Louisville Magazine) and a Super Lawyer for several consecutive years.

Jamie R. Abrams is an Assistant Professor at the University of Louisville Brandeis School of Law. She teaches Torts, Family Law, Legislation, and Women and the Law. Her research focuses on reproductive and birthing decision-making, gendered violence, legal protections for immigrant victims of domestic violence, and legal education pedagogy. Professor Abrams was awarded the University of Louisville Brandeis School of Law's Teacher of the Year Award in 2016 and the University of Louisville's Presidential Multicultural Teaching Award in 2014 for her demonstrated commitment to teaching, research, and service that integrate diverse perspectives. In 2014, she co-founded the Brandeis Human Rights Advocacy Program, which works actively with other nonprofits and stakeholders in the community to advance the human rights of immigrants, refugees and noncitizens.

Don't miss what is sure to be a fascinating discussion!

2021 Preview *Cont. from page 1.*

procedures, bans depending on the patient's reason for seeking a medical procedure, and unnecessary regulations that do not improve health outcomes, but make it difficult or impossible for clinics to obtain a license to operate.

The two pre-filed bills include a constitutional amendment that would deny Kentuckians' right to abortion care and a bill that would restrict judicial bypass, or the right to get a court order if you require abortion care, are under 18, and are unable to tell one of your parents.

Senate leadership has also indicated it will resurrect two bills from the 2020 session: Senate Bill 9, which forces doctors to deviate from their best judgment, and some iteration of House Bill 451. While these bills purport to protect "infants born alive during an abortion," the true outcome would be to take oversight of abortion providers away from career health experts at the Cabinet for Health and Family services and permanently give it to the Office of the Attorney General.

There are several proactive bills focused on reproductive health already in the works. ACLU-KY Reproductive Freedom Policy Strategist Jackie McGranahan continues to work with Rep. Attica Scott and Legislative Research Commission bill drafters on legislation to address racial disparities in maternal mortality rates. Last session this was one omnibus bill. In the 2021 legislative session, the measure will be broken up into three separate bills for lawmakers' consideration. People of color are three times more likely to die from complications during or soon after pregnancy than their white peers. Together, these bills will put in place policies that combat racism in medicine and increase access to doulas.

Doulas inform and advocate for pregnant people before, during, and after childbirth. Doulas provide individualized and culturally specific education about pregnancy and children, and ways to reduce stress and promote a healthy pregnancy.



Angela Cooper

A second iteration of what is known as the Dignity Bill will also be presented to the legislature this session. This bill protects persons who are incarcerated while pregnant from being sent to solitary confinement and from being restrained during childbirth.

Representative Josie Raymond has pre-filed a bill with the support of ALCU-KY and coalition partners to allow employees of the Commonwealth a paid leave of absence for 12 weeks after the birth or adoption of a child. A version of this bill had bipartisan support in the 2020 legislative session but was sidelined by the COVID-19 pandemic.

Other topics we can expect to see in the 2021 legislative session are comprehensive sex education in schools and coverage of birth control for Kentuckians. As always, ACLU-KY will closely monitor legislation and keep our members up to date on our website at www.aclu-ky.org.

“Choice Treasures” Silent Auction raises \$3,000 for KRCRC

For two weeks in November, bidders supported KRCRC's reproductive justice work with their bids on our online “Choice Treasures” Silent Auction. Our huge appreciation to our generous item donors, and to all whose bids made this event a success!



Some auction items, from left: hand-beaded pendant, polymer clay mosaic purse, autographed Margaret Atwood book.



KRCRC board member Diane Snova stands with some of the 109 items sold in the auction, on one of two pick-up days at First Unitarian for winning bidders.

Following the 2020 Election, Planned Parenthood is Ready to Move Forward

by Heather Bruner

Heather Bruner works as Donor Engagement Officer for Planned Parenthood of Indiana and Kentucky.

The presidential election of 2020 is finally over, and true advocates for reproductive rights and health care access will be leading our country.

While we are all breathing a sigh of relief, we have a long way to go! Planned Parenthood has lost federal funding for the foreseeable future, the U.S. Supreme Court is packed with conservative judges, and COVID 19 is still rapidly spreading. It is time for us to now build back stronger and smarter than ever, and we are ready.

Two years ago, Planned Parenthood of Indiana and Kentucky announced that we were entering a strategic alliance with Planned Parenthood of the Great Northwest and Hawaiian Islands. Our intention was to consolidate our administrative staff while increasing support and resources provided to our patients. I am pleased to announce that this official merger will be completed on April 1, 2021, and we will be a united affiliate under the new name Planned Parenthood Great Northwest, Hawai'i, Alaska, Indiana, Kentucky.

This alliance enabled us to obtain our long-awaited abortion license in Louisville, and our leadership team is now working to get licensing for medical abortions in Lexington. Furthermore, our new affiliate is launching a campaign to invest over \$180,000 in telehealth for Kentuckians. This strategy not only increases the capacity of patients we can see daily, but it also breaks down geographical barriers to care and reduces COVID transmission between staff and patients.

Kentucky's election results this year were not as positive as those of the national races, but the PAC (Planned



Parenthood Action Kentucky) had its most successful electoral season to date. They hired four new Voter Engagement Specialists and their first reproductive justice organizer in Western Kentucky. Anti-choice elected officials still hold a super-majority in the House of Representatives, but the PAC only lost one endorsed incumbent. Other incumbent Democrats who lost do not vote pro-choice.

On January 5th, the work of our advocacy team in Frankfort begins, and abortion access will be challenged from day one. **Please join us at the Capitol** on that day for a safely distanced yet powerful **Rally for Reproductive Rights**. Details will soon be announced via email and social media.

The past 4 years have been tough for Kentuckians, but our doors have stayed open no matter what. Planned Parenthood believes in a safe and equitable Kentucky where people have autonomy over their bodies and access to medical care. For more information on how to support this mission, please contact Heather Bruner at heather.bruner@ppink.org or (502) 693-6163.



Do you shop at Kroger, with a Kroger Plus card? You can be giving KRCRC a financial boost, at no cost to you! Two simple steps:

1. Go to www.kroger.com/communityrewards. Create an account or sign in.
2. Follow the instructions to select an organization. KRCRC is #SU106.

Now you're ready to help KRCRC every time you shop! Just use your Kroger card (including at the gas pump), and KRCRC will receive a small percent of your purchases. Thank you!

Why Faith Communities Need to Talk About Reproductive Freedom: Reflections of a Daughter of the Church

by Annica Gage

Annica Gage is a 2020 graduate from Louisville Seminary and a Candidate for ordination within the Presbyterian Church (USA).



Annica Gage

I don't remember how old I was when I first learned what the word "abortion" meant, but my guess is about ten. I do remember the place it was talked about being my church. From the pulpit, the lobby, and tents set up by the local crisis pregnancy center, I learned that pregnancy was an unequivocal blessing, no matter the circumstances. And abortion was unequivocally sinful, no matter the circumstances.

I was sixteen when I complained to my mother about irregular periods and was shocked by her suggestion that I get on the pill. I'd heard my youth pastor say that people who weren't married shouldn't be having sex, and so shouldn't be worrying about birth control. Surely if birth control had another use, he'd have mentioned it. I ignored my mom's advice and endured irregular periods through the end of high school and most of college.

I was twenty-one when I got engaged and finally felt ready to start doing my own research on sex and birth control. I only remember one religious site popping up during that research: a fundamentalist Catholic site promoting natural family planning as an exclusive means of contraception. I remember it because of its header: a sad bride reaching out for her groom, unable to hold his hand due to his being trapped inside a human-sized condom. I knew my own irregular menstruation cycle would make natural family planning needlessly risky. I stuck with information from secular websites and wound up on the pill.

I was twenty-three when I first heard what it was actually like to visit an abortion clinic, from a co-worker sharing a story about accompanying a friend through a line of

protesters to enter the Planned Parenthood clinic in her neighborhood. I was too embarrassed to tell her that I was quite familiar with the sort of signs and slogans she and her friend had endured at the entrance of the clinic.

I was twenty-four when I had my own first pregnancy scare. I talked to my spouse quite seriously about how if "worst came to worst," we'd find a way to make it work. I also called to mind the conversation I'd had with my co-worker the year before, and counted myself lucky to have a friend brave enough to accompany me to a clinic if "worst came to worst." Because I knew, despite everything I'd heard preached from pulpits and whispered between pews, that an attitude of "worst came to worst" wasn't a fair or thoughtful way to build a family.

I was twenty-eight when I finally re-entered the conversation on birth control and abortion in another religious setting, this time during a conversation with the doctors at the EMW Women's Clinic hosted by Central Presbyterian Church in Louisville, Kentucky. It was the first time I heard abortion acknowledged as a medical need, a matter-of-fact tool in the toolbox of medical ethics rather than an absolute evil. It was the first time I heard anyone describe preserving bodily autonomy as a call and conviction, rather than a "slippery slope" into immorality. It was the first time I heard a person of faith describe their "ministry" as occurring within the clinic rather than on the sidewalk outside it.

It unlocked a ground-breaking new way of synthesizing my very real faith identity and my very frank need for reproductive freedom. It only took me eighteen years to find another faith community willing to have that more holistic conversation.

Many progressive faith communities are reluctant to have such conversations about reproductive freedom, as the rhetoric around reproductive healthcare options in general and abortion in particular is so charged. I think the church comes by that reluctance honestly. But I wonder how different my narrative of reproductive freedom—and my narrative of self—might have been if I'd been able to have



Louisville Seminary

A New Vision: The Reproductive Rights Round Table

by Ann Taylor Allen

Ann Taylor Allen is the editor of Voice for Choice and a member of the KRCRC Board of Directors.

KRCRC has joined with community allies to form a new organization, the Reproductive Rights Round Table. Its founder, Jackie McGranahan of the American Civil Liberties Union, designed the Round Table to develop a new, more expansive concept of reproductive justice. For too long, McGranahan argues, the defense of abortion rights has left our movement with little energy to develop a more positive agenda. The new Round Table affirms a broad range of choices—not only birth control and abortion, but also healthy pregnancy and parenthood.



Jackie McGranahan

At the Round Table's first meeting, representatives introduced themselves and their organizations. Among the groups represented (to name only some examples) were KRCRC, A Fund, Planned Parenthood of Indiana and Kentucky, and Kentucky Health Justice Network (KHJN), all of which are primarily concerned with access to abortion and birth control. The Southern Birth Justice Network provides trained doulas to assist with prenatal care and birthing. All Access EKY works in sex education and youth outreach in Eastern Kentucky; Medical Students for Choice advocate training medical students to perform abortions; and ACLU deals with legal and legislative issues.

At our first meeting, McGranahan and Tamarri Wieder, the Kentucky State Director of Planned Parenthood of Indiana

and Kentucky (PPINK), informed us of the outlook for January's legislative session. We can anticipate a renewed assault on abortion rights—an agenda that State Senator Robert Stivers has named as a top priority. In addition to opposing these restrictions, Round Table members will also support such positive proposals as the Dignity Act, which protects pregnant women and mothers who are incarcerated, and a new version of the Maternal Care Act. Both these bills address racial disparities in medical care (as explained by Angela Cooper, see p. 1).

At the second meeting on November 11, Alexa Hughes introduced Granny's Girls Birth Initiative, a group of doulas who work to overcome the racial disparities that cause high rates of maternal and infant mortality in African American communities.



The COVID 19 pandemic has raised obstacles to citizens' participation in the legislative sessions, whether as expert witnesses in committee meetings or as citizens who seek contact with their representatives. But we can be sure that Round Table members will find ways to make their voices heard.

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Reflections *Cont. from page 5.*

an alternative, holistic conversation about sexuality and reproductive health in a theological setting. I wonder what it would have been like to have invited a pastor into the conversation my spouse and I were having at twenty-four, without having to wonder whether I'd be pressured or guilt tripped into become a mother.

That is a conversation that is greatly needed, both in its own right and as a counter-narrative to the loud yet false conflation of a staunch anti-abortion stance with American faith identity. The progressive church has a crucial opportunity to provide public witness on a topic that is simultaneously ever-present and taboo, to share a

more freeing theological perspective on the experience of reproductive freedom, and to extend a lifeline to people of faith who are otherwise left to grapple with their moral, ethical, and personal convictions in secrecy and shame. To do less is to abandon the conversation on reproductive freedom to those only interested in engaging it in bad faith.

The conversation on reproductive freedom is always happening via word-of-mouth and whispers between classmates, co-workers, and family members. The church has a lot to offer in this conversation. But if it wants to have a voice, it needs to start speaking up.

What Are the Limits of Religious Freedom?

by the Rev. Elwood Sturtevant

Elwood Sturtevant is Minister Emeritus of Thomas Jefferson Unitarian Church and a member of the KRCRC Board of Directors.



Rev. Elwood Sturtevant

When Congress passed the Religious Freedom Restoration Act (“RFRA”) in 1993, it received bipartisan support and only three senators voted against it. Since then, however, things have become more complicated. Such cases as *Burwell v. Hobby Lobby Stores, Inc.* (“Hobby Lobby”) raise questions about the limits of religious freedom in connection with issues of reproductive justice and health care generally.

Originally created in response to cases involving denials of recognition for certain Native American religious practices, RFRA attempted to restore a balance between religious freedom and the government’s interest in having its laws carried out impartially—an interest that the courts had previously recognized. RFRA tried to say that a law could impact religious exercise only if the law was in furtherance of a “compelling” government interest, and if it was the least restrictive way for the government to further this compelling interest.

In the Hobby Lobby case, the Supreme Court struck down the requirement of the Affordable Care Act (ACA) that employers cover certain contraceptives for their female employees. The Court ruled that such a requirement infringed upon the sincerely held religious beliefs of the employer, and that less restrictive ways of covering contraception-- for example, having the Government pay for the coverage—could be found.

In her dissent, Justice Ginsburg called this “a decision of startling breadth.” “Where is the limit to the ‘let the government pay’ alternative?” she asked. “Suppose an employer’s sincerely held religious belief is offended by health coverage of vaccines (...), or paying the minimum wage, or according women equal pay for substantially similar work (...)?” She also inquired whether a sincerely held religious belief would permit a business owner to refuse to serve Black people, to refuse to hire someone who lived with a person to whom they were not married, or to refuse to provide services to same sex couples, and how the court would decide which religious beliefs were worthy of accommodation? And she pointed out that the majority opinion deliberately left such questions unanswered, stating that it was only considering the ACA’s contraception mandate.

And so we will continue to encounter questions about the limits of religious freedom. For example, in its last session, the Kentucky Senate considered SB90, called “AN ACT protecting the exercise of medical ethics and diversity within the medical profession,” but described by opponents as a “bill that authorizes the denial of medical care based on the religious beliefs of insurance companies, providers, and institutions.” (<https://www.atheists.org/2020/02/kentucky-denial-of-care-bill/>) SB90 did not become law, but a law with similar provisions was passed in Kentucky’s neighbor, Missouri.

We ordinarily expect a pharmacist who refuses to fill a prescription based on a religious or moral objection to turn over the prescription to another pharmacist who will fill it “in a timely manner.” The Code of Medical Ethics of the American Medical Association likewise urges physicians whose personal beliefs prevent them from offering any service to refer patients to some other provider or at least to provide guidance about how to gain access to this service. (<https://www.ama-assn.org/delivering-care/ethics/physician-exercise-conscience>) The proposed Kentucky law does not uphold or enforce these ethical standards.

In Kentucky, we must let the legislature know that Kentuckians do not support expansive forms of religious liberty that could deprive Kentuckians of health care and other services.

In Kentucky, we must let the legislature know that Kentuckians do not support expansive forms of religious liberty that could deprive Kentuckians of health care and other services. Instead, Kentucky should maintain the

traditional balance that guarantees the right of individuals to practice their religion, but which also respects the public interest in seeing that all Kentuckians can receive necessary medical and other services.

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continue our work
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Or send a check to:
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**Voice for Choice is a
publication of the
Kentucky Religious
Coalition for
Reproductive Choice.**

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KRCRC MISSION STATEMENT

The mission of the Kentucky Religious Coalition for Reproductive Choice is to mobilize the moral power of people of faith and conscience to safeguard and advance reproductive justice in the Commonwealth of Kentucky.

We do this through advocacy, education, and support of organizations with related goals.