

Winning on Abortion in 2024

TO: Interested Parties
FROM: Roshni Nedungadi, Chief Research Officer
Ashley Aylward, Research Manager
Carla Hardy, Analyst

RE: Winning on Abortion: Tactics for Democrats to Respond to Suspension of Medication Abortion and Elevate Abortion Threats Ahead of 2024

On Friday, a federal judge moved to suspend approval of a key abortion medication, which could have a devastating impact on abortion access—more than half of abortions in the United States are performed via medication. This comes on top of a slew of recent attacks on abortion rights: radical legislation like a 15-week national ban and the amplification of misinformation like “born alive” abortions.

Abortion access has been eliminated or severely restricted for many women since the Supreme Court overturned *Roe v. Wade*—at least 18 states have enacted abortion bans. From July to August 2022, 10,000 fewer legal abortions took place than did in April and May. By November 2022, the share of women who had to travel more than an hour to obtain an abortion more than doubled. Top doctors are warning about an “increased likelihood of complications from self-managed abortions and forced pregnancy in underserved areas.” This will disproportionately impact Black and Latina women, who are more likely to seek abortions than white women.

The memo provides tactical ways campaigns can highlight abortion restrictions and how to fight against them. At the national level, retooling five effective campaign tactics from 2022 represents the best opportunity to take the fight to Republicans.

- 1. Elevate the issue.** Ad spending, primary endorsements, forcing opponents to take stances on a national abortion ban.
- 2. Value signaling to young voters.** Taking risky actions like disseminating information on how to subvert abortion bans to mobilize the young base.
- 3. Define Republicans as extreme** by uplifting their most unpopular policy outcomes, like forcing children/teens to remain pregnant.
- 4. Confront Republicans’ misinformation.** Correcting and dispelling falsehoods about later-in-pregnancy abortions.
- 5. Issue position papers.** Clearly articulating policy responses to restrictions, such as pushing the FDA to expand the permitted use of abortion medication.

National Strategies:

The chart below provides examples of what worked in 2022 and suggestions for replicating success in 2024:

What Worked in 2022



- 9-figure investment in abortion-related ads from Democrats and allied groups
- Democratic Senate candidates assailed their opponents for previous anti-abortion positions

- AOC and other Dems protesting Roe reversal outside of SCOTUS and getting arrested was received positively by youth focus group participants.

- Democrats confronted Republicans, highlighting their unpopular anti-abortion stances, emphasizing that taking away rights is their #1 priority.

How to Use it in 2024



- Analogous presidential-cycle **ad campaign** investment for 2024; trial runs in 2023 state and municipal elections
- Elevation of issue in primary candidacies through endorsements, personalization of issue, etc.
- Make the case that Republican White House and Congressional control = nationwide abortion ban. Force opponents to take stances on national Republican policies like a **national abortion ban**

- Use of **value signals** (i.e. risky, visible actions to demonstrate commitment on issue in absence of policy success) such as showing voters on how to skirt abortion bans, attending pro-abortion rights protests, fundraising for abortion seekers to get medication abortion out of state, etc.

- Discuss most unpopular outcomes of abortion restriction efforts, including:
 1. Banning all abortions with no exceptions in certain states
 2. Children and teens will be forced to remain pregnant
 3. Forcing victims of rape to remain pregnant
 4. Prohibiting people from crossing state lines for abortion care

What Worked in 2022



- Republicans were unable to amplify misinformation surrounding later-in-pregnancy abortion restrictions due to lack of spending/political will.

How to Use it in 2024



- **Respond to misinformation** (ex: Born Alive Act) by addressing it head-on, either:
 1. Invoking Roe framework, which has both protections and restrictions so abortion only happens later in pregnancy when a woman faces a serious problem, OR
 2. Oppose restrictions by calling out Republican disinformation (no one is performing abortions up until birth, abortions later in pregnancy only occur when there is a serious medical crisis), then pivoting to the Republican's unpopular position of wanting to ban abortion

Clear, concrete articulations of methods to combat Dobbs—including AOC's action plan that included opening abortion clinics on federal lands—were received positively in focus groups with young voters.

- Issuance of **detailed position papers** on protecting/expanding abortion access in reaction to policy challenges. Liz Warren/Patty Murray's letter to Biden urging executive action on abortion is a good template.
- Policy example: in reaction to conservative lawsuit seeking to ban mifepristone, Biden should expand FDA-permitted use of abortion medication and initiate process of making them OTC

Restrictive State Strategies:

At the state level Republicans are proposing everything from first-trimester bans and restrictions on abortion medication to criminal penalties for seeking/providing abortions outside of the state.

However, Michigan progressives successfully turned their restrictive state into a protective one in the 2022 election. Recommendations to export their accomplishments to other states include:

1. **Putting abortion on the ballot.** In a handful of states where abortion is restricted, state law would allow for ballot initiatives to directly enact abortion protections.
2. **Protesting at statehouses against new restrictions.** Candidates should join pro-abortion rights protests to spotlight new restrictions.
3. **Telling personal experiences about abortion access.** Speaking about one's own or a constituent's story helps humanize the issue and appeal to a broad audience.

The chart below provides examples of what worked in restrictive states in 2022 and suggestions for replicating success in 2024.

What Worked in 2022



- ACLU MI and Planned Parenthood MI successfully placed on the November ballot an initiative to codify an individual right to reproductive freedom in the state constitution; it passed by 13 points.
- 45% of Michigan voters said abortion was their top issue.
- Connecting abortion rights to the decision to vote increased vote likelihood among low-propensity Dems in HIT's 2021 swing state focus groups.

- MI Gov Gretchen Whitmer highlighting existing state-level abortion restrictions by filing a lawsuit against MI's pre-Roe abortion ban.
- Highlighting existing state restrictions increased vote likelihood among low-propensity Dems in HIT's 2021 swing state research.

How to Use it in 2024



- In several states where abortion is not protected — AR, AZ, FL, MO, MT, OK, OH, NE — state law permits citizen-initiated ballot measures. MI-style efforts should be pursued in those states.

- Abortion rights groups must **protest** at **red state legislative** convenings considering further restrictions (medication abortion restrictions, extraterritorial prosecutions, contraception restrictions, etc.)

What Worked in 2022



- Katie Hobbs, now governor of Arizona, spoke about a surgical procedure she received after a miscarriage that was being denied to women under AZ's revived 1864 abortion ban. This personalized the issue. 32% of Arizona voters said abortion was their top issue.
- Two-thirds of voters in HIT's 2021 swing state research found message test that emphasized women in the participant's life – neighbors, family, friends - to be very/somewhat reason to support abortion rights ballot initiative.

How to Use it in 2024



- Lawmakers with **personal stories** to relate should continue doing so, as U.S. Rep. Frederica Wilson did detailing how a pre-Roe ban state ban that forced her to carry a stillborn to term.
- First Lady Jill Biden invited Amanda Zurawski, a Texan woman, to SOTU. She was denied treatment to terminate her pregnancy even during a miscarriage.
- This is especially important for defining rape/health exceptions that only exist on paper – forcing rape victims to remain pregnant was perceived as one of the worst and most believable outcomes of Dobbs.