

## Tennessee voters to weigh in on abortion for first time

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By Anita Wadhvani

In Alabama, abortion rights advocates have set up an online crowd-sourcing campaign to raise money to help women get to Nashville for an abortion.

In northern Mississippi, where there isn't an abortion clinic for hundreds of miles between Jackson and the Tennessee border, the National Organization for Women refers women facing unwanted pregnancies to CHOICES, a Memphis abortion clinic.

And in Kentucky, advocates have organized rides for women to clinics in Nashville and Bristol in East Tennessee. At least one Tennessee clinic, The Women's Center in Nashville, advertises \$25 discounts for out-of-state clients.

The growing number of women from other states seeking abortions in Tennessee has become a flashpoint in the debate over Amendment 1, a referendum on the November ballot that gives Tennessee voters their first chance to weigh in on abortion.

A "yes" vote will give Tennessee lawmakers more power to enact abortion regulations. Now, the Tennessee constitution provides some of the strongest privacy protections of any state, protections the state Supreme Court ruled more than a decade ago specifically extended to women seeking abortions.

A "no" vote will leave those constitutional protections untouched.

Abortion rights supporters say the fight over Amendment 1 is not only about securing the rights of Tennessee women to make a deeply personal decision without onerous restrictions. It's also a fight to shore up a "firewall" protecting abortion access for women across the South, who come to Tennessee from surrounding states because increasingly restrictive laws have led to clinic closures and new hurdles back home.

"This is the national line in the sand," said Rebecca Terrell, director of the CHOICES abortion clinic in Memphis, one of two clinics in that city where a third of all abortions in the state are performed. "Here we stand with this really strong constitution which is protecting women's rights and access to needed services. If that fails here, where else are women going to go? The bottom line is, they [abortion opponents] don't want women to have access to abortion here -- or anywhere in the South."

Abortion opponents have fought for 13 years to get Amendment 1 on the ballot. They say Tennesseans don't want to live in a state that's known as an abortion destination and that lawmakers should not have their hands tied in making "common sense" abortion policy decisions.

Measures approved by lawmakers but later struck down by the state Supreme Court on constitutional grounds include mandatory waiting periods, the required distribution of materials about fetal development to women considering abortions and a rule requiring that second-trimester abortions be performed in hospitals.

"We are at a historical crossroads," said Brian Harris, president of Tennessee Right to Life. "We have the first real concrete chance at this point in time to give lawmakers the ability to enact safeguards for abortion, safeguards that were found constitutional by the U.S. Supreme Court but not by our own state constitution. Amendment 1 by itself doesn't make any policies. It simply restores to the people the right through their elected officials to enact or strike down statutes related to abortion."

Women facing the prospect of an unplanned pregnancy still have a range of options, including adoption -- but at least one woman said she is frightened at the prospect that abortion could be further restricted.

"It's scary to be quite honest," said Mae, who got an abortion at Planned Parenthood in Nashville last month and asked to be identified only by her first name. "The fact they're buckling down on this isn't going to stop women from seeking abortion."

### A message from the pulpit

Churches across Tennessee today are observing "Yes on 1" Sunday -- a coordinated message from the pulpits of Southern Baptist, Assemblies of God, United Pentecostal, Presbyterian and Free Will Baptist churches, among others -- to make congregations aware of the importance of the abortion amendment.

It's an effort backed by all three Catholic dioceses in Tennessee. Priests across Middle Tennessee, for example, will read a letter from Bishop David Choby to parishioners that will "make them more aware of the opportunity that's being presented to them in November of voting for an amendment to the constitution that will return to the state legislature the authority to enact laws which regulate the abortion industry in Tennessee," Choby said.

Southern Baptists pastors will take a similar message to their congregations.

"Tennessee is sort of becoming the abortion capitol of the Bible Belt," Russell Moore, president of the Ethics & Religious Liberty Commission of the Southern Baptist Convention, told a gathering of Southern Baptist ministers in preparation for today's services. Moore told pastors uncomfortable with speaking out about political or social issues that to be silent on the issue is the moral equivalent of silence during the struggle for racial equality.

"If you are living in a society where children are seen as disposable and as problems to be solved with bloodshed ... and you don't speak to that, you are speaking some other message."

Amendment advocates say churches are crucial to their strategy.

### ABOUT THIS SERIES

Stories on the four constitutional amendments Tennessee voters will decide on Nov. 4 are the work of the Tennessee News Network, a consortium of the state's largest newspapers. Journalists from the Chattanooga Times Free Press, the Memphis Commercial Appeal, the Knoxville News Sentinel and The Tennessean in Nashville reported, wrote and edited the stories.

#### SUNDAY

- **Amendment 1:** Concerning abortions

#### MONDAY

- **Amendment 2:** Concerning judicial elections

#### TUESDAY

- **Amendment 3:** Concerning a ban on a state income tax

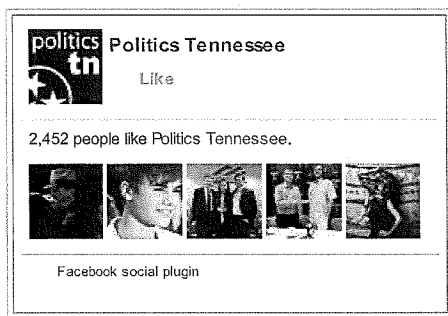
#### WEDNESDAY

- **Amendment 4:** Concerning lotteries

### TEXT OF AMENDMENT 1

Shall Article I, of the Constitution of Tennessee be amended by adding the following language as a new, appropriately designated section:

Nothing in this Constitution secures or protects a right to abortion or requires the funding of an abortion. The people retain the right through their elected state representatives and state senators to enact, amend, or repeal statutes regarding abortion, including, but not limited to, circumstances of pregnancy resulting from rape or incest or when necessary to save the life of the mother.



"We can't win this without a strong turnout from evangelical and Catholic voters," Harris said.

The campaign is focusing on voters who are already anti-abortion, Harris said. In an off-year election, with low-turnout expectations, the election hinges on mobilizing those who are already committed to the cause.

This week, the campaign is launching a radio campaign with 30-second spots on conservative talk radio and Christian stations in Bristol, Jackson, Nashville, Knoxville, Chattanooga and Memphis. Television commercials in the state's biggest markets will soon follow.

### 'Unlimited authority'

Last week, in coordinated statewide "Vote No on 1 Weekend of Action," about 300 volunteers participated in phone banks, open houses and knocking on doors in Chattanooga, Franklin, Johnson City, Memphis, Knoxville, Murfreesboro and Nashville.

"If this passes, politicians will be given unlimited authority to restrict or ban abortion in Tennessee with no exceptions for her health and for cases of rape or incest," volunteer Dorothy Stannard read from a script to a likely voter, with a dozen other volunteers making phone calls from the campaign's statewide headquarters near downtown Nashville. "Given that this would give politicians unlimited authority to restrict women's ability to make private healthcare decisions, will you vote no on Amendment 1?"

Campaign officials say they hope to convince voters that Tennessee lawmakers cannot be trusted to make reasonable rules.

Like the "Yes" campaign, abortion rights advocates working on the "No" campaigns are focusing on reaching out to voters who are already abortion rights supporters and getting them to the polls.

"Typically in a contested election, you don't worry about turnout," said Tracey George, co-leader of the Vote No on One campaign and a Vanderbilt Law School professor. "But in this election, we don't expect that general push for turnout from big statewide races, so you have to assume really low turnout. As a consequence, the strategy is to focus on supporters, and get those people out to vote."

The Vote No on 1 campaign has been running behind their opponents in fundraising thus far, having raised a little more than \$360,000 by the July filing deadline, compared to more than \$518,000 for the Yes on 1 campaign. But campaign leaders say they are well on their way to a goal of raising \$4 million.

George said the campaign also has focused on dispelling misleading arguments by pro-amendment forces.

Tennessee lawmakers already have the ability to pass some abortion regulations. They have enacted a ban on the use of tele-medicine, or video conferences, between doctors and patients prescribed miscarriage-inducing drugs. Another recently-enacted law requires doctors who perform abortions to have admitting privileges at local hospitals. That has already forced the closure of two abortion clinics -- one in Knoxville and one in Memphis -- that could not comply.

Tennessee now has seven abortion clinics, down from 16 in 2000, but more than in any other neighboring state except North Carolina.

"If this is passed, we will see efforts to ban all abortion past the first trimester regardless of the life or health of the mother, or the possibility it was a result of rape or incest," George said. "We are advocating that voters vote no on this amendment in order to keep private medical decisions in the hands of women, their doctors and their families, and not to allow government to interfere in those decisions."

Those who want the amendment to pass hope Tennessee voters see it as more than just a matter of privacy. They see it as a matter of life and death.

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