**Oct. 8, 2024 / Abortion on the ballot**

**[HALF SECOND OF SILENCE]**

**[BILLBOARD]**

NOEL: There are fewer than 30 days until the 2024 election and on Today, Explained we’re bringing you reporting from the SWING STATES. There are 7 of them. They could go either way; they will decide the election.

Today, Arizona.

SCORING IN - World 6, BMC

Where Donald Trump and Kamala Harris are in a dead heat, and an initiative that would ENSHRINE abortion rights in the state constitution is on the ballot.

[*<CLIP>*](https://www.youtube.com/watch?v=xsIoF4K8z8Y&t=64s) *12 News: You’ll see it as prop 139. It’s asking voters whether or not the time for getting an abortion legally should be extended*

[*<CLIP>*](https://www.youtube.com/watch?v=mZnu_tKBC3g) *NEWS 4 TUCSON: Pro choice Arizonans worked for over a year gathering those signatures, now tonight organizers say they gathered more than 50% over the required minimum.*

*Camryn: If Democrats do have sweeping wins this year in Arizona, I think they can write a thank you letter to the abortion access people for it.*

*Noel: Oh, girl.*

That’s Coming up!

**[THEME]**

CAMRYN: My name is Camryn Sanchez. I'm a reporter with KJZZ News in Phoenix, Arizona, and I cover state politics here.

NOEL: How did abortion end up on the ballot in Arizona this year?

CAMRYN: Well, it was a long process, essentially, we had a law on the books that was from 1864, which was a territorial era ban, actually. And it was pretty expansive…

[*<CLIP>*](https://www.youtube.com/watch?v=vV4zp8qspPQ) *MSNBC: Arizona’s highest court today backing a law that bans nearly all abortions and carries up to 5 years in prison for doctors who perform one.*

CAMRYN: So, that was pretty shocking to I think the general public.

SCORING IN - Starting to sink in

[*<CLIP>*](https://www.youtube.com/watch?v=1l11wGS3jZg&t=560s) *MSNBC:*

*Beth Ballman: I didn’t think that they would do this, I really didn’t. I’m devastated, I mean women have no choices now.*

*<CLIP> WRAL:*

*Arizona resident 1: It’s such an archaic law, created by men to control women’s bodies…*

*Arizona resident 2: I just feel like we’re going back in time.*

CAMRYN: Democrats and Independents worked really hard as soon as Roe v Wade got overturned, and it was kind of I think, inevitable that something would be on the ballot. So there was another law and there was some debate over which one would take precedence, but that one was created just a few years ago in the state legislature, which is a 15 week ban. So that is the law of the land now. And I think there was some hope from the Republican Party that that would be a good enough compromise, but proponents cleared the signature threshold to get it on the ballot by a lot. They actually broke a record. It was hundreds of thousands of signatures.

MUSIC BUMP

In a nutshell Proposition 139 would essentially codify Roe versus Wade. It would allow abortions up to fetal viability. You can also have an abortion if the health care provider thinks it's necessary for the health of the mother, physical or mental health. And that is something that Republicans have sort of jumped on to and said, well, that's a catchall and that could be used to have abortions up until the moment of birth…

[*<CLIP>*](https://www.youtube.com/watch?v=XOQ2sra6ghc&t=2s) *AZPBS: Cindy Dahlgren, Communications Director for It Goes Too Far: It doesn’t mean that the woman’s health is at risk. It could mean that she is stressed, or experiencing anxiety, the Supreme Court has said that it could include anything that goes to her well being.*

CAMRYN: and also that there's a possibility that doctors would want to claim it, even if it's not necessary, because that's how they get paid. Now, do people actually believe that in the general public? I'm not sure. It doesn't seem to have lessened the amount of support for the ballot measure, but it was a tactic that has been used saying that it goes too far.

SCORING OUT

NOEL: All right. Now, you've spoken to voters about Proposition 139. What do they think about it?

CAMRYN: A few weeks ago, I actually went out and spoke to the voters on the street and I went doorknocking. I talked to about 20 people, Democrats and Independents, about their views on the upcoming presidential election and the issues that matter the most to them. And when abortion would come up, I heard a lot of people saying that they were going to support it.

*<CLIP> KJZZ:*

*Arizona voter: So women’s rights, I guess that includes abortion… education.. Being taught about reproductive rights. I think to not get pregnant is the first step, and then obviously if you do get pregnant you should have access to abortion.*

CAMRYN: and even that it was a top issue or a reason for them to come out to the polls, which, of course, is what Democrats are hoping for. And I didn't really hear anyone in opposition to it. Maybe because of the demographic, the independents and Democrats I was speaking to.

From what I've heard so far, it seems to have enough support to pass. 50 something percent is the last number that I heard, I believe around 58%, which obviously would be more than enough.I wouldn't go so far as to say it's the top issue for most voters. I think it's a top issue for many voters.And that kind of brings me to another point, because I think that a Republican tactic we've seen for the past year or so is they want to put something on the ballot that's a carrot to get people out to the polls, too.

SCORING IN Neutral Richard

CAMRYN: So the overturning Roe v Wade has made abortion the huge topic this year. And ever since that decision, it was inevitably going to be something that Democrats used. And if you go to Arizona and you listen to any campaign ads, pretty much guarantee that if you're listening to a Democrat's campaign ad, they're going to talk about reproductive health care. They're going to talk about abortion. They're going to talk about IVF.

[*<CLIP>*](https://www.youtube.com/shorts/ToHAKyn166I) *PROGRESS ACTION FUND CAMPAIGN AD:*

*Mother: Our little IVF miracle*

*<<baby crying>*

*Republican Congressman: Sorry, she’s not yours anymore…*

*Mother: What are you talking about? Who are you??*

*Republican Congressman: I’m your Republican Congressman. We made IVF illegal. And we’re not letting your criminals raise her.*

And everyone across the board, from the state level to the county level, is milking that angle. But Republicans wanted to have something on there that would get their voters out, that would have their turnout increased, hopefully to the same degree.

[*<CLIP>*](https://www.youtube.com/watch?v=wC8yevRPx7Q) *JIM HEATH YOUTUBE CHANNEL:*

*Trump 2024 Arizona Campaign Ad: Under Harris, over 10 million illegally here. A quarter of a million Americans DEAD from fentanyl. Brutal migrant crimes and ISIS is now HERE.*

And so I think we've seen border security sort of be a parallel or comparable issue in a way. And on Arizona's ballot this year, there will also be a border security measure.

[*<CLIP>*](https://www.youtube.com/watch?v=BKcL8S30a_c) *AZPBS: Proposition 314, a proposed measure that would make it a state crime for non-US citizens to enter Arizona at any location other than the port of entry.*

CAMRYN: So that would allow it to be enforced by local law enforcement. And at least in the Republican Party, there's definitely a lot of support for that measure. And it's drummed up a lot of media attention in sort of a similar way.

SCORING OUT

NOEL: Okay. So you have two big competing issues. One of them is abortion. One of them is immigration. Arizona, of course, is a border state. What about the electorate in Arizona makes these two top issues?

CAMRYN: Well, one thing that Arizona stands out on is we have a very large Latino population. Now, Democrats at the top, like Harris, for example, maybe are not doing as well with Latino voters as they would like. However, when it comes to Latino voters, we've seen both border security and abortion be top issues. For conservative Latino voters. Border security and immigration and fentanyl are all top issues, and they kind of get tied together in the conversation here. And they're also tied together in that ballot measure that I mentioned. There's some mention in there about fentanyl dealing and trafficking and how to secure the border against that. So Arizona is a very much a changing state. We have a lot of people coming into Arizona and sort of changing the demographics, shifting them from what they used to be as recently as 5 or 6 years ago. We have a lot of people coming in from California, and you've seen Arizona going from red to purple, which was unfathomable a decade ago.

[*<CLIP>*](https://www.youtube.com/watch?v=zpPGa-Ynfkk) *CBSNEWS: Now another swing state victor call for President Elect Biden late last night, after a race that was too close to call for more than a week.*

The swingy-ness of Arizona started around, I would say 2016, 2018. And so what I'm referring to is Donald Trump. And that really changed everything. There’s sort of a huge difference now in the Republican Party. We've got the the Trump loyalists, the MAGA Republicans, the Freedom Caucus members. And then the other kind of Republicans, we call them sometimes here, the McCain Republicans after, of course, John McCain. And that has been difficult, I think, for the party to reconcile. And when we've seen these elections where you have to get statewide support. The Republican candidates who are MAGA, they do well in their primary elections. But when it comes to the general elections, that's not the same case. They're not appealing to the same population. And so we saw that in the last governor's race, for example, with Kari Lake going against Katie Hobbs. And now we have a Democratic governor for the first time in a minute. And that's shifted everything all over again because we've got Democrats at the top level. We've got a Democrat Secretary of State. We've got a Democratic attorney general. And, you know, before 2016, there was nothing of the sort.

NOEL: Based on what you've heard from voters, based on the reporting you've done around polling, do you think that reproductive rights could be the way that Democrats win in Arizona this year?

CAMRYN: If Democrats do have sweeping wins this year in Arizona, I think they can write a thank you letter to the abortion access people for it.

NOEL: OOH Girl.

CAMRYN: This is something that has really stirred up the Democratic base. This is something that is getting people out, not just Democrats, but also independents, which is key in Arizona, But those independents, as we all know, are independent for a variety of different reasons. They could be anywhere on the political spectrum, and they're not a homogenous group. But having Roe V. Wade was such a staple in everyone's lives for decades. And the upheaval of that on the eve of this important election in a presidential election. It's got people thinking and it's got Democrats pushing so, so hard on abortion, you can't escape from the messaging of it. It's everywhere. There's no one here who could possibly not be aware that it's going to be a key issue this year, that it's going to be on the ballot, that it's something that candidates are campaigning on. You would have to be living under a rock.

SCORING IN: Neutral Mark

I definitely believe that it's a top issue, partly because Democrats are doing their darndest to make it a top issue and that if they can control all the levels of government that they want to, it will likely be because of that, because the people who show up at the polls and vote Democrat on their ballots, maybe they were there because of that abortion measure. Maybe they showed up that day because they wanted to vote for that particular issue. The rest of the ballot was just there to be filled out.

NOEL: Camryn Sanchez. She covers state politics for K-J-Z-Z, Phoenix’s NPR station. Lots of their great reporting at K-J-Z-Z dot org. Up next: one of the most MOTIVATING issues, not just in Arizona, but across the country.

**[BREAK]**

**[BUMPER]**

NOEL: We’re back with Caroline Kitchener, a national reporter who covers abortion for the Washington Post. Caroline, after the Dobbs decision, there was a question of what that would mean for national electoral politics. What DID it mean in the 2022 midterms? And what will it mean in 2024?

CAROLINE: In the 2022 midterm election, you really did see voters come out and support abortion rights in a big way. And you saw that on, you know, a variety of different ballot initiatives where people could vote directly on abortion.

[*<CLIP>*](https://www.youtube.com/watch?v=MFeDXpr8G80) *ABC NEWS: This morning, abortion rights advocates are celebrating after voters in red state Kansas rejected an amendment that would have removed the right to an abortion from the state’s constitution.*

[*<CLIP>*](https://www.youtube.com/watch?v=lSOIoW5wyNE) *NEWS CENTER MAINE: An Ohio ballot measure that would have made it harder to protect abortion rights in that state, has failed.*

[*<CLIP>*](https://www.youtube.com/watch?v=aSTn1dFx-t4) *CLICK LOCAL DETROIT: The fight over abortion is now shifting to a push to enshrine it in Michigan’s constitution.*

CAROLINE: Now, the question that is on everybody's minds is, is that direct support for abortion going to translate to candidates? And more specifically, is it going to translate to the presidential candidate. Because what we did see in 2022 and this is, I feel, an aspect of abortion and that election that we didn't hear as much about, is that many of the governors that directly signed these abortion bans, they did extremely well.

[*<CLIP>*](https://www.youtube.com/watch?v=7KNiqYRoIsM) *11 ALIVE: Governor Brian Kemp fending off a challenge from Stacey Abrahms for another 4 years in the Governor’s mansion.*

[*<CLIP>*](https://www.youtube.com/watch?v=7KNiqYRoIsM) *CBS NEWS: Governor Abbott going on to a third term here in the state of Texas.*

CAROLINE: These are obviously conservative states. But, but you really didn't see the governors who signed these very strict abortion bans take a hit.

NOEL: We heard in the first half of the show, Caroline, that in Arizona, residents will vote on whether or not to protect abortion access in the state's constitution. Other states are doing that also this year, as I understand it. Which other states are doing that?

CAROLINE: Ten states have abortion directly on the ballot this year.

SCORING IN - The Ghosts of Spyder

CAROLINE: It's huge. I mean, that's going to be such an important thing to watch that will really reshape the landscape for abortion access in this country, there are several states that have total abortion bans that could be forced to lift them. Missouri, you have South Dakota. Both have total abortion bans. The biggest one, I think that everyone will be watching in terms of abortion access is Florida. Florida has you know, it's the third most populous state and most abortions are banned there and have been since the spring, so the significance of Florida in terms of the abortion landscape nationally really can't be overstated. Um, there are you know, before the ban took effect, there were 80,000 abortions that took place in Florida in any given year. The clinics, the closest clinics are in North Carolina and those are already swamped from all the other bans. So that one is is really, is crucial for for abortion access nationally but it's also a really tough ballot initiative because you have to get over 60% and that's a really high bar even for something that's popular.

SCORING OUT

CAROLINE: I was very eager to find someone who was really a pro-choice but Republican voter inclined to vote for Trump, who was really wrestling with their decision because of abortion. And I think it's telling that I sort of struggled to find that person. I …you know, what I …what I found instead was folks that, you know, cared very deeply about abortion and had, you know, personal stories about abortion. These were not, just people who were pro-choice for no particular reason that they could voice, they had real personal and and emotional connections to the issue. But who, you know, sort of said it's kind of a no brainer, that they were still going to vote for Trump. And, you know, I think for them, they felt like he doesn't really care about this issue. Like, look at his flip flopping. Like I'm just not worried.

[*<CLIP>*](https://www.youtube.com/watch?v=NglssDgZ-yE) *MEET THE PRESS:*

*Donald Trump: But I am strongly for choice and yet I hate the concept of abortion.*

*Tim Russert: But you would not ban it.*

*Trump: No.*

*<CLIP> HARDBALL:*

*Chris Matthews: Do you believe in punishment for abortion yes or no as a principle?*

*Donald Trump: The answer is… that…there has to be some form of punishment.*

*<CLIP> CNN:*

*Reporter: You would sign a federal abortion ban into law.*

*Donald Trump: I said this… I want to do what’s right.. And we’re looking, and we want to do what’s right for everybody…*

CAROLINE: You know, and I of course, I would press them and and and remind them that, you know, he did appoint the three justices that led to this Supreme Court ruling. But they sort of generally felt like that was …that was done that was in the past and he wasn't going to do anything else. And they were, you know, convinced by the things that he had said. I think it is important to say at this point in the conversation that there is a lot that President Trump could do if elected on abortion outside of a national abortion ban. I think one thing that folks aren't really talking about is, you know, the appointments to a few really key federal agencies like Health and Human Services. I mean, that is what the anti-abortion groups are banking on. They, you know, for them, it's all about these appointments. And if Trump wins and appoints a pro-life, a strong pro-life leader who cares very deeply about this issue to lead HHS, there is a medley of things that that agency could do to really limit abortion nationwide.

NOEL: How are Donald Trump’s supporters who are fervently opposed to abortion reacting to his flip-flopping?

CAROLINE: Oh, I mean, they're extremely upset about that. I talked to many of them right after, you know, each each round of comments that he's made along these lines. I mean, he went so far as to say that…

[*<CLIP>*](https://www.youtube.com/watch?v=QnUafVem3k8) *FORBES:*

*Donald Trump: We’re very good, I’m very strong on women’s reproductive rights, The IVF, we’re very strong, I mean we’re leaders in it.*

CAROLINE: And these people feel they feel betrayed and they feel like they are being taken for granted. But in the end, they're still planning to vote for him because what they what they recognize is that, you know, one candidate is sort of flip flopping and and hem hawing. And the other is saying, you know, very passionately and emotionally that that she is eager to do all that she can to restore Roe and to protect abortion in any way possible under her authority as president, so, and the anti-abortion folks, they they see that. And I think they they realize that. You know, they would probably have a lot more to worry about under Harris. So they're willing to vote for Trump anyway.

NOEL: And so how are Democrats trying to mobilize voters around abortion other than drawing that contrast in places like debates and advertising? What are the Dems up to?

CAROLINE: Well, I think you see attention being drawn to particularly heart wrenching stories. I mean, you've seen the Harris campaign really draw attention to specifics…

[*<CLIP>*](https://www.youtube.com/watch?v=wuNWdW0UXWI) *CNN:*

*Vice President Kamala Harris: You want to talk about this is what people wanted? Pregnant women who want to carry a pregnancy to term, suffering from a miscarriage being denied care in an emergency room because the health care providers are afraid they might go to jail, and she’s bleeding out in the car in the parking lot?? She didn’t want that. Her husband didn’t want that.*

CAROLINE: they just cut an ad with Hadley Duvall, who is a rape survivor from Kentucky, who did an extremely powerful ad for Governor Andy Beshear last year…

[*<CLIP>*](https://www.youtube.com/watch?v=7VsmLDysbe8) *CBS:*

*Hadley Duvall: He calls it a beautiful thing. What is so beautiful about a child having to carry her parent’s child.*

CAROLINE: you also saw Vice President Harris go down to Georgia and talk about two deaths that were recently reported related to abortion bans.

[*<CLIPS>*](https://www.youtube.com/watch?v=6nkebkYNa1I) *FOX 4 DALLAS FORT WORTH:*

*Kamala Harris: And we will speak her name, <<yes>> Amber Nicole Thurman.*

*Crowd: Amber Nicole Thurman, Amber Nicole Thurman*

*Harris: That’s right. And she had her future all planned out.*

So I really think the the campaign is is trying to put a face on this issue and make it personal and make it emotional, and and I think draw attention particularly to to the real difficult health consequences.

NOEL: One of the big surprises of the 2022 midterms was, even though Dobbs had been handed down months earlier, exit polling showed there were people who were voting strictly on abortion. They were there, voting in the midterms because of the end of Roe. It's now been two and a half years. Are any voters picking the president based on abortion alone or abortion as their top issue?

CAROLINE: I mean, we've seen polling that has showed that among young women voters, this was this came out came out in a Times poll about a month ago, abortion had overtaken the economy as their top issue. You know, what I am hearing from folks on the Democratic side on the campaign is that they are seeing this issue more as a way to mobilize the base and get them out to vote and make sure that they come out. Then they are to like persuade a, you know, Republican voter who's inclined to vote for Donald Trump. That's not to say that that person doesn't exist. And, you know, there there are no Republicans who who would otherwise vote for Trump that are going to vote for Harris because of abortion. I have yet to talk to one. But, you know, I guess, you know, we'll have a better idea of that after Election Day.

SCORING IN - Hit the ground running

NOEL: Caroline Kitchener is a national reporter for the Washington Post. She covers abortion. Victoria Chamberlin covers it all. She produced today’s show. Amina al-Sadi edited it. Andrea Kristinsdottir and Rob Byers engineered.

Next week: wild and wooly Wisconsin. I’m Noel King. It’s *Today, Explained*.

**[10 SECONDS OF SILENCE]**