

TOOLKIT FOR REPRODUCTIVE FREEDOM

A GUIDE FOR
FIGHTING LOCAL
ABORTION BANS
IN TEXAS





ANTI-ABORTION ADVOCATES WANT TO OUTLAW ABORTION IN YOUR COMMUNITY. WE NEED YOUR HELP TO STOP THEM.

Anti-abortion extremists are trying to outlaw abortion and emergency contraceptive in Texas communities.

If the phrase “sanctuary city for the unborn” sounds like something out of a dystopian fiction novel, I have some bad news. Anti-abortion activists in Texas are crisscrossing the state to make sure that dystopian fiction becomes a reality.

The laws they are proposing would criminalize abortion in the city in question should *Roe v. Wade* be overturned by the Supreme Court. Waskom, Texas was the first city to pass the proposed local abortion ban.

While the law is not currently being enforced, this practice of using policy to chip away at access and antagonize those needing abortion care is a highly dangerous, even deadly reality. The future that many people have feared is now at our doorstep.

A future where people’s basic rights to reproductive healthcare get drop-kicked back to the 1950s, when hundreds of thousands of people were seeking abortions, and thousands were hospitalized or died from unregulated abortions because there were no safe, legal alternatives.

While this is certainly a scary reality, there is something you can do right now to help make sure that no more Texans are subjected to these ordinances. Anti-abortion activists driving this campaign have tried to get other cities to adopt the ordinance, but in some cases have failed to do so because of engaged reproductive rights advocates on the ground in those towns. Local advocates have sounded the alarm in cities like Mineral Wells and have helped make sure people in their town turn out to voice their opposition. They also ensured that organizations had enough notice to turn up the heat on those city councils.

Now it’s your turn. In this toolkit you’ll find step by step instructions and the resources you need to help prepare for the fight in your town.

HOW TO TAKE ACTION IN SIX STEPS

Step 1: Monitor Your City Council Agendas

We need people in all 962 cities and 254 counties in Texas engaged with their city council and county government meetings. Most city councils meet twice a month on a regular day and time and County Commissioner's Court will often meet every other week. They are all required to post the time and place of the meeting as well as an agenda at least 72 hours prior to the meeting.

We need you to start monitoring the agendas of your city, county, and other cities in your area to make sure no reproductive or abortion rights items appear. In the vast majority of cases, the meeting agendas are posted online. You will simply have to go to your city or county's website and click on the agenda for that week and scan it for any red flags.

Hopefully, this will only take five minutes of your time every two weeks. Consider setting a reoccurring alarm every two weeks as a reminder.

If an abortion related item appears on your agenda, please notify us right away at abortionaccess@aclutx.org.

Step 2: Recruit Your Rapid Response Team

The more people from your community that you can get engaged in this fight, the better. Your elected officials will respond if they feel like there is a ground-swell against the ordinance from the community. It only takes a few voices in opposition to make a big impact.

Here are a few ideas on how to recruit and retain people for your Rapid Response Team:

- Ask your family and friends. The best way to start is with the people closest to you in the community. Let your family and friends know what you are up to and hopefully they'll be excited to help you out.
- Talk about it in community spaces. Are you a member of a local civic organization? Do you attend a place of worship regularly? Or are you involved with a local sports team? Any one of these places could be an opportunity to find an ally. We know this is a topic that is

sometimes hard to talk about with acquaintances, but by dipping your toe in the water in these spaces with people you already know, you might be surprised at how many likeminded people you find.

- Identify other pro-abortion leaders in your community. Many people that care about abortion are also involved in advocacy around other local issues or may be interested in particular political or social justice organizations. Identifying a geographically and culturally diverse group of committed pro-abortion leaders in your community is invaluable when convincing local elected officials to protect abortion access. Starting the conversation and sharing the toolkit are great ways to make a connection with other local reformers.
- Make it fun. Consider hosting a house party or happy hour with the people you identify for your Rapid Response team. This is a great opportunity to share the goals and resources from this toolkit with your team and get them excited about making a real difference in their communities. It's also an opportunity to have a little fun in the process. For more information on having a successful house party, please see our guide attached.
- Keep them connected. Consider starting a Facebook group, WhatsApp Group, or email chain with your rapid response team members. Share advocacy materials and updates from the movement, post local events that might be of interest, and consider organizing regular check-ins or meetups. The goal is to keep everyone informed and engaged. NOTE: If you do decide to do regular meetups, this is a great opportunity to invite in guest speakers, to prepare for council visits, share your personal stories, and brainstorm testimony ideas as a group.
- Encourage action. Although some local allies may prefer to remain vigilant watching city council for anti-abortion agenda items, there are plenty of actions you should encourage the Rapid Response Team to take immediately. For example, encourage them to meet with their own city council members. In most cities in Texas, city council members represent individual districts. Having individuals from different districts visit their representatives will show that there is widespread support for abortion access in the community. If they are interested in visiting their members, please share this toolkit with them.

Step 3: Meet With Your Elected Officials

City councils and County Commissioners Courts are made up of a diverse group of individuals who often do not share the same viewpoints or values. Knowing what motivates each of the elected officials in your area can make a huge difference in whether or not we are able to successfully stop an ordinance. For more information, check out the "Contacting Your Council Member How To Guide" attached. Once you've reviewed the document, you will be ready to meet with your elected official.

Follow the below tips for a successful meeting:

- Get to know your local landscape. Compile information about your elected officials in one place. Try to find out what their policy positions are on reproductive rights and other progressive causes. Based on that research, try to determine if they are likely to support or oppose your position. Please feel free to use the form attached for your information gathering.
- Identify local decision-making processes. In some communities, the mayor may drive the local agenda while in other communities it might make more sense to target your city council member. As you gather information about local officials, also identify key local officials for outreach.
- Set your meeting. Identify your city council representative or a key local decision-maker and set a meeting with their office. Often the best way to do that is to email them at their official addresses or call their office phone number during business hours, which can usually be found on the city website.
- Prepare for the meeting. Prior to the meeting, reach out to us at abortionaccess@aclutx.org, make sure you are up to date on the local abortion bans that have been passed throughout the state, and review the messaging guidance attached.
- Make your case. The purpose of every council visit is to educate the member on the issues and ask them to support your position. To educate the member talk to them about the issues from your perspective. Let them know why it matters to you personally. Use that personal information combined with the guidelines for having a successful office visit here to be persuasive.
- Make your ask. After you have made your case, make your ask. We suggest one or all of the below asks as options, depending on the council member's reaction:
 - o Ask them to oppose any anti-abortion proposal that comes before the body;
 - o Request that they notify you if any anti-abortion proposal is being circulated at the Council;
 - o Discuss the viability and general local impact of a pro-choice ordinance and see if they are willing to offer a pro-choice ordinance or resolution at a City Council meeting. If they say yes to this, let them know that we will be in contact with further information on possible ordinances and next steps.
- Leave the "Local Abortion Bans are Unconstitutional" page with their office.
- Report Out. After you have met with your member, record the information on your Elected Official information sheet and send the sheet to us at abortionaccess@aclutx.org. We will contact you about next steps.

Step 4: Get Social

Social media is a powerful tool to use to build momentum around abortion access and to educate your community. In fact, 68% of people in this country get their news from social media. You can use social media to rally and thank your supporters and to respond to your opposition. Below are some general tips to maximize your social media effort.

Facebook is great for reaching supporters quickly. You can choose to either post on your own personal Facebook wall to create interest or you can create or join a local abortion advocacy group and invite your current friends to join. You also need to commit to posting on, at least, a once a week basis in your group. You can always pre-schedule your posts to help keep your page current. For content ideas please be sure to follow the organizations who have developed this toolkit.

Twitter is great for inserting yourself into the conversation and reaching a substantial amount of people. When using Twitter make sure you use relevant hashtags in your post. Do not create a hashtag unless you have a specific need to do so. Instead use already established abortion access hashtags. You can use other people's handles to call out or speak directly to other twitter users. This can be a great way to informally engage with your law makers.

Step 5: Control the Narrative

Educating the public and generating support and attention for the issue is a crucial part of any local advocacy campaign. You can use the threat of an abortion ban, the possibility of a proactive agenda item, or other events happening locally and elsewhere to try to generate earned media. A couple of good strategies to use when trying to generate media attention are Op-Eds and Letters to the Editor.

Op-Eds are pieces you submit to a media outlet that reflect your opinion about an issue. They are a good opportunity to educate the public and advance your advocacy within your local community. Most newspapers have rules about how to submit op-eds and the format they must follow in order to be considered for publication. If the newspaper does not have posted guidelines, feel free to call up the op-ed editor and ask for them. When writing an op-ed make sure to tailor your piece to your audience and stay focused on your issue. Use facts and research to support your opinion, but you want to also stick to clear and plain language. This is not the place for overuse of jargon. Make sure to have others read your piece before you submit it and edit all the way through at least twice before submission. After submission, make sure you follow up with the editor.

Letters to the editor are used to respond to something that was printed in the newspaper. A letter is a good strategy if you are looking to uplift something that was printed or if you would like to offer a new or contrary perspective. If you are considering submitting a letter to the editor, make sure it is timely. You'll need to respond as soon as you can to a published piece. You will also need to follow the rules for submission for that newspaper. A few quick tips include:

- Read previous letters. Previous letters show you what types of letters the newspaper likes to publish.
- Keep it simple and to the point.
- Shorter, well written letters that are direct are more likely to get published.
- Know your audience. Familiarize yourself with what the paper likes to print and try to write toward that audience.
- Edit your work several times and ask a friend to read it before submitting.

If you are interested in submitting an op-ed or letter to the editor and would like more guidance from us or would like us to help in the editing process, please reach out to either the ACLU of Texas at abortionaccess@aclutx.org or Planned Parenthood Texas Votes at media@pptexasvotes.org.

Step 6: Prepare for the City Council Meeting With the Anti-Abortion Agenda Item

If an abortion related item does pop up on your agenda, now is the time to go into action. The first step, as mentioned above, is to notify one of the partner organizations listed. After that you'll want to make sure you are fully prepared for the meeting. You will need to:

- Notify your rapid response team. Let your recruits know the date and time of the meeting and ask them to attend the meeting. You should also encourage them to prepare testimony against the agenda item.
- Prepare to testify. Testimony is an oral statement offering your perspective on the agenda item in question. It is important that you commit to testifying, since in person testimony in city council hearings is viewed as an important reflection of the opinion of the community. Testimony is often time limited to 3 minutes or less. The length of allowed testimony will generally be posted on the agenda. There are also often instructions posted on your city council website.
- Draft your testimony. Make sure your testimony includes your name, what council district you live in, how long you've lived in the community, if you represent anyone other than yourself, and your position on the agenda item (for or against it). The body of your testimony should include why you hold the position you do. This could include a personal story, data from research, and/or examples gathered from other community members. End by reiterating the action you want the council to take on the agenda item. Please find a model testimony draft attached, to use as a guide, but we encourage you to draft your testimony in your own words.

ACTION RESOURCES FOR REPRODUCTIVE FREEDOM



Contact Your City Council Members: A How-to Guide

Do Your Research:

Spend time learning through news media. Who is your councilmember, or do multiple councilmembers represent you? Don't forget the Mayor too. What issues are your elected officials the most vocal about? Spend time on the local government website learning about what it does. You can get to know local elected officials who represent districts other than yours too as an issue area expert.

Introduce Yourself:

Ask for an introductory meeting. Contact their office and ask to come in to meet with them and/or their staff. Make some small talk! In bigger cities where council members have staff, the staff are often very helpful to know. Tell them about yourself and your priorities and ask them about their priorities. Tell them you'd like to be a resource for them.

Engage with Them:

Continually develop your relationship. Stay in touch on an on-going basis. Help develop solutions when possible rather than only contacting them when you are opposed to something. Consider volunteering on a city board or commission. Follow the news and meeting agendas and keep an eye on what's going on.

Be A Resource:

Know your issue. When you are advocating for or against a change, back up your argument with facts and data. Bring a one pager (no more than one page!) to summarize your points and leave it with them. Offer to link them to other resources you know about.

Say Thank You:

Public service is hard. And it's often thankless. Even if you find yourself on the other side of an issue this time, you might be on the same side next time (and you might see your local elected official in the grocery store or at your kid's ballgame!) Keep an open line of communication for next time.

For more information check out equityagenda.org

By: Heidi Gerbacht, Founder, Equity Agenda

Elected Official Information Form

Name	
Elected Position	
Email	
Phone	
Office Contact Information	
Political Party Affiliation (if can be inferred)	

Stated position on:

Reproductive health and health care generally:	
Abortion:	
Birth Control, including emergency contraceptive:	
LGTBQ Rights:	

Other information:

What are their stated priorities?	
Who is their primary constituency?	
Would they support or opposition an abortion ban?	
Reaction to the ask in the office visit:	
Other office visit notes and feedback:	

Guidelines for Having a Successful Office Visit

SUGGESTED MEETING FORMAT

Opener:

- Express thanks for taking the time to meet.
- Introduce yourself, explain purpose of the meeting, and let them know you are a constituent.
- Thank the council member for something (vote, co-sponsorship) if possible.

Issue Presentation & Story:

- State the problem that you are addressing (either opposition to a proposed local abortion ban or support of a proactive abortion ordinance).
- State why you support this position. Include your experiences and perspective and include a personal story if possible.
- Make your ask. What do you want your council member to do? (see above)
- Wait for a response – be sure to listen!
- Offer to be a resource or send additional information if needed.

Wrap Up:

- Review comments, commitments, and follow-up requests.
- Thank member/staff for their time; collect business cards from staff.
- Leave your business card or contact information and one-pager

Debrief:

- Jot down some quick notes right after the visit so you don't forget important details. Make a note of any follow up needed and plan for your follow-up.
- Send notes to abortionaccess@aclutx.org
- Send thank you notes to the council member and staff, briefly restating your issue messages and asks.

Do	Don't
DO be on time and prepared. Arrive early to allow time to get through security and find the room.	DON'T argue with your council member or the staffer. Make your points politely and stay on message. If needed, agree to disagree. You never know whether one day they'll be on your side, so make sure not to burn the bridge for the future.
DO be prepared to meet with either the council member or staff. Staff-level meetings can be meaningful, as staffers are the experts who work with the member and track constituent input on issues.	DON'T allow your council member to hijack your time by focusing on issues that you did not come to discuss. Thank them politely for sharing, and then redirect the conversation back to your issue
DO practice what you want to discuss with the lawmaker in advance. Stay on message, stick to	DON'T make up a response if you don't know an answer. Let the person you are meeting with

your key points, and ask specific questions. Decide questions prior to the meeting	know you'll get back to them. Contact the ACLU of Texas to get the information you need.
DO share personal stories with your member when it will help to convey your message and you feel comfortable doing so.	DON'T get off message. Avoid discussing unrelated personal issues – it will dilute the effectiveness of your advocacy.
DO thank whomever you meet with at the beginning of your visit and at the end.	DON'T be intimidated by your lawmakers. As a constituent, you have every right to be there, to educate on your views, and influence their position on an issue.

How to Plan an Abortion Access House Party

Have a Vision

What will be the theme, how many you can accommodate, and what is the best venue that meets your needs? Remember, the real key to having a successful event is your enthusiasm for the work.

Pick a Theme

Have a barbeque, throw a cocktail party, or host a holiday themed gathering. Things to consider are: the time of year, place of your event, interest of your guests, and the weather.

Pick a Date

Consider other events happening around the same time and when guests are most likely to be able to attend. Pick a day that works best for your needs, and where there is little else going on. Once you've picked a date, go ahead and send your invites early so everyone can get it on their calendar. Also let us know that you are having a party by emailing abortionaccess@aclu.org.

Create an Agenda

At your house party make sure you accomplish these 5 things:

1. Thank everyone for coming. Make sure they know you appreciate their initial interest and commitment.
2. Let them know why they are here. Tell them about the local abortion ban epidemic and why it's a problem. Consider sharing your personal connection with the issue and why you've chosen to get involved. Make sure they know that they can make a real difference in the community by getting involved.
3. Give them a chance to talk about why they are interested in getting involved and their connection to the issue. Ask them about what types of actions they think they might want to take in this space.
4. Make an ask. Ask them to sign up to be on your rapid response team. Share with them the types of actions they can take including:
 - Posting on social media
 - Visiting their council members
 - Recruiting others to be a part of the rapid response team
 - Submitting an op-ed or letter to the editor around the issue
5. Follow up with them after the meeting to solidify their interest. This is a great opportunity to invite them to your email list or Facebook group so you can stay in touch.

Follow Up With Us

Let us know how your house party went and, if you and they feel comfortable, share your guests' contact information with us so we can keep them in the loop as well.

ABORTION FORWARD LANGUAGE



SAY THIS	INSTEAD OF	WHY
Abortion	Euphemisms like "women's healthcare", "reproductive choice"...	"Healthcare" encompasses a range of medical care. Using euphemisms for the word abortion gives opposition control over the narrative.
Texan(s), a person, they	Women, she/her	Gender inclusivity. People who don't identify as women get abortions too.
A person's (or) Texan's decision to have an abortion	Person's choice	A decision is definite, while choice frames that the person has options and plays into a conservative narrative.
Politicians shouldn't deny a person's health coverage just because she's on Medicaid.	Your tax-payer dollars do not fund abortion.	When Medicaid covers the costs of all pregnancy care, including abortion, it means people can make the decision for themselves.
Every pregnancy is different. People seek later abortion care for different reasons: abortion restrictions made accessing care early on difficult, a wanted pregnancy is no longer viable, or a person decided they couldn't be pregnant - they are all valid reasons.	Late term abortions are rare and people only make the heart-wrenching decision to have a late-term abortion when a pregnancy is no longer viable.	Framing later abortion care as something that only people with wanted pregnancies experience, disregards those who can't access care early on in pregnancy because of the changing landscape of abortion restrictions, as well as those who simply no longer want to be pregnant. We should trust people and support their decisions.
Legal abortion must be available and affordable	Abortion should be safe, legal and rare.	Making abortion rare restricts access and makes it dangerous.
Abortion is a safe and common medical procedure that everyone should have access to.	Nobody likes abortion.	1 in 4 Americans will have an abortion in their lifetime. We should normalize a common, safe medical procedure, and not make assumptions about how people feel about abortion.
We should ensure access to a full range of pregnancy-related care, from contraception to abortion to postpartum care.	If we want to reduce abortions, we should fund contraception.	We fall under the trap that access to birth control is somehow an alternative to abortion and perpetuates the stigma around abortion.
Specify that it is some policymakers or special interest groups who want to impose their values on others.	Demonizing the role of government	We want the government to be involved in guaranteeing access to a full range of reproductive healthcare, including abortion care.
We need to trust young people - they deserve the right to consent to their own reproductive and sexual healthcare needs.	Kids are not mature enough, and therefore should have parental consent before getting birth control or an abortion.	Perpetuates the belief that young people lack the understanding or maturity to make important decisions for themselves is a contributing factor why Texas cannot overturn parental involvement laws for contraception and abortion.



Local Abortion Bans are Unconstitutional

Access to Abortion is a Fundamental Right

Local abortion bans are unconstitutional. The Supreme Court ruled in *Roe v. Wade*, 410 U.S. 113 (1973), that access to abortion is a fundamental right guaranteed by the United States Constitution. It clarified in *Planned Parenthood v. Casey*, 505 U.S. 833 (1992), that until the point when a fetus can survive outside the womb, or viability, every person has a constitutional right to access abortion care without undue interference from the government—whether federal, state, or local government. Even after viability, governments cannot pass restrictions on abortion that do not have exceptions for the situation where someone’s life or health is in danger. Local abortion bans impermissibly interfere with our recognized constitutional rights.

Targeting Abortion Providers Violates Multiple Constitutional Rights

In addition to implicating the fundamental right to abortion, local ordinances that target abortion providers for performing important constitutional work can violate other rights. The rights of free speech and free association are enjoyed by each person who lives in the United States. As the Supreme Court has stated, “long understood as implicit in the right to engage in activities protected by the First Amendment [is] a corresponding right to associate with others in pursuit of a wide variety of political, social, economic, educational, religious, and cultural ends.” *Roberts v US Jaycees*, 468 U.S. 609, 622 (1984).

Unconstitutional Abortion Laws Open Cities up to Costly Legal Liability

In addition to being unconstitutional, local abortion bans can open cities up to costly legal liability. In the last year, the ACLU has filed lawsuits in Alabama, Arkansas, Georgia, Kentucky, and Ohio challenging unconstitutional abortion bans. This type of litigation can be immensely costly. Restrictions on abortion passed in 2013—declared unconstitutional in *Whole Woman’s Health v. Hellerstedt*, 136 S. Ct. 2292 (2016)—cost the state of Texas more than one million dollars.¹

¹ Alexa Ura, *Abortion Legal Fight Cost Texas More Than \$1 Million*, THE TEXAS TRIBUNE (June 29, 2016) <https://www.texastribune.org/2016/06/29/abortion-legal-fight-cost-texas-more-1-million/>.

Sample Testimony

Good Evening Council Members. My name is _____ and I am a resident of district _____, I have lived in this town for _____ years, and I am here to oppose the effort to ban abortion in this city.

The ordinance before you today seeks to ban abortion within city limits, makes taking and administering emergency contraceptive illegal, and makes organizations who support women's health criminal organizations. This ordinance is out of step with the vast majority of Texans and a significant portion of the [people of this city] who think abortion should be safe and legal.

[Example of a personal story] This is a deeply personal issue for me, for lots of reasons. I am a woman who is choosing to remain childless, I am a daughter of a woman who has had four children and became unexpectedly pregnant with me 11 years after her last child was born and chose to keep me, and I am the granddaughter of a woman who had an illegal abortion. Each of us, me, my mother, and my grandmother have travelled very different paths, but we have one thing in common: we have all chosen our destinies for ourselves. And I want to live in a world where my 14-year-old niece has the same freedom I have had to plan my family and control my destiny.

That connection between the freedom to plan our families and the ability to take control of our destiny is not an abstract concept. It is very simple, women who live in places with policies that support women's access to the full range of reproductive health care have higher earnings, are more integrated into the workforce, and are less likely to experience an extended employment gap than women in areas that do not support abortion access.ⁱ Women who don't have access to abortion are also more likely to remain in poverty, and as a result on Medicaid, and are more likely to stay in abusive relationships.ⁱⁱ

Also, banning abortion does not make it magically go away. Before *Roe v. Wade*, the number of illegal abortions was estimated to be up to 1.2 million per year.ⁱⁱⁱ For perspective, there are about 600,000 abortions performed per year now, which means abortions have been cut in half since *Roe v. Wade*.

This ordinance is just too extreme for our city and I urge you today to choose to support women and vote no.

ⁱ Kate Bahn et al. , *Linking Reproductive Health Care Access to Labor Market Opportunities for Women*, CTR. FOR AM. PROGRESS (2017), available at <https://www.americanprogress.org/issues/women/reports/2017/11/21/442653/linking-reproductive-health-care-access-labor-market-opportunities-women/> (finding that “women living in states with a better reproductive health care climate—including insurance coverage of contraceptive drugs and services; expanded Medicaid eligibility for family-planning services;

insurance coverage of infertility treatments; and the availability of state-supported public funding for medically necessary abortions—have higher earnings and face less occupational segregation compared with women living in states that have more limited reproductive health care access”).

ⁱⁱ Foster DG et al, Socioeconomic outcomes of women who receive and women who are denied wanted abortions in the United States, *AJPH*, 2018, 108(3):407-413, doi: 10.2105/AJPH.2017.304247; Sarah C.M. Roberts et al., *Risk of Violence from the Man Involved in Pregnancy After Receiving or Being Denied an Abortion*, 12 *BMC MED.* 1 (2014), available at <https://bmcmmedicine.biomedcentral.com/track/pdf/10.1186/s12916-014-0144-z>.

ⁱⁱⁱ Rachel Benson Gold, *Lessons from Before Roe: Will Past Be Prologue?*, GUTTMACHER INST. (March 2003), <https://www.guttmacher.org/gpr/2003/03/lessons-roe-will-past-be-prologue>.