

# Abortion law in Indiana leads to fallout for state, politics

The state, national leaders and activists on both sides are gearing up for long slog over abortion laws

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Indiana's new sweeping ban on abortion produced immediate political and economic fallout Saturday, as some of the state's biggest employers objected to the restrictions, Democratic leaders strategized ways to amend or repeal the law, and abortion rights activists made plans to arrange alternative locations for women seeking procedures.

The Indiana law, which the Republican-controlled state legislature passed late Friday night and Gov. Eric Holcomb (R) signed moments later, was the first state ban passed since the U.S. Supreme Court struck down *Roe v. Wade* in June and was celebrated as a major victory by abortion foes.

It also came just three days after voters in traditionally conservative Kansas surprised the political world by taking a very different tack, [rejecting a ballot measure](#) that would have stripped abortion rights protections from that state's constitution.

The vote in Indiana capped weeks of fraught debate in Indianapolis, where activists demonstrated at the state Capitol and waged intense lobbying campaigns as Republican lawmakers debated how far the law should go in restricting abortion. Some abortion foes hailed the law's passage as a road map for conservatives in other states pushing similar bans in the aftermath of the high court's decision on *Roe*, which had guaranteed for the past 50 years the right to abortion care.

The Indiana ban, which goes into effect Sept. 15, allows abortion only in cases of rape, incest, lethal fetal abnormality, or when the procedure is necessary to prevent severe health risks or death. Indiana joins nine other states that have abortion bans starting at conception.

The new law represents a victory for antiabortion forces, who have been working for decades to halt the procedure. But passage occurred after disagreements among some abortion foes, some of whom thought the bill did not go far enough in stopping the procedure.

After the legislation was signed into law, Eli Lilly, the pharmaceutical giant and one of the state's largest employers, warned that such laws would hurt its employee recruiting efforts and said the company would look elsewhere for its expansion plans.

“We are concerned that this law will hinder Lilly’s — and Indiana’s — ability to attract diverse scientific engineering and business talent from around the world,” the company said in a statement issued Saturday. “Given this new law, we will be forced to plan for more employment growth outside our home state.”

Salesforce, the tech giant with 2,300 employees in Indiana, had previously offered to relocate employees in states with abortion restrictions, though it didn’t respond on Saturday to a request for comment on the Indiana law.

The Indianapolis Chamber of Commerce also warned the ban was passed too quickly and without regard for how it will affect the state’s tourism industry.

“Such an expedited legislative process — rushing to advance state policy on broad, complex issues — is, at best, detrimental to Hoosiers, and at worst, reckless,” the chamber said in a statement, asking: “Will the Indy region continue to attract tourism and convention investments?”

Indiana lost out on 12 conventions and an estimated \$60 million of business after it passed a religious freedom law in 2015, according to one local tourism industry estimate.

Indiana is the first state to ban abortion by legislature since the Supreme Court decision in June overturning *Roe v. Wade*. Other states enacted “trigger laws” that went into effect with the fall of *Roe*.

Indiana may be just the beginning. Abortion rights advocates estimate that abortion could be severely restricted or banned in as many as half of the 50 states.

An official at Indiana Right to Life, an Indiana antiabortion group, said the new law will end 95 percent of abortions in Indiana and will close all Indiana abortion clinics Sept. 15, the date the legislation takes effect, unless abortion activists go to court and get an injunction beforehand.

Indiana has considered abortion restrictions for years, though it remained a state where many in the region traveled for abortion care. Now, as many nearby states — including Ohio, Kentucky and West Virginia — also push for abortion bans, patients may have to travel hundreds of miles in some cases for care, said Elizabeth Nash, a policy expert at the Guttmacher Institute, which supports abortion rights. “Patients in Ohio won’t be able to go to Indiana for access. They’ll have to get to, perhaps, Illinois or Michigan,” she said.

Passage of the Indiana measure occurred just weeks after national attention was focused on a 10-year-old girl who was raped in Ohio, where abortion is banned after six weeks, and traveled to Indiana to terminate the pregnancy.

Caitlin Bernard, the doctor who performed that abortion in Indianapolis, tweeted Saturday that she was “devastated” by the legislature’s action. “How many girls and women will be hurt before they realize this must be reversed? I will continue to fight for them with every fiber of my being,” she wrote.

The Indiana measure drew swift condemnation from national Democrats, who sought to cast Republicans as extreme on abortion — citing the vote earlier this week in Kansas, where even rural, conservative parts of the state rejected changing the state’s constitutional right to an abortion.

The law is “another radical step by Republican legislators to take away women’s reproductive rights and freedom,” White House press secretary Karine Jean-Pierre said in a statement.

Democrats are hopeful, though, that they can use what happened in Indiana to cast the entire Republican Party as extreme on abortion.

“This has nothing to do with being ‘pro-life,’ ” tweeted California Gov. Gavin Newsom (D). “It’s about power and control.”

In Washington, Republican leaders have been largely silent on Republican-led states’ push to ban abortion. Polls consistently show that near-total abortion bans like the one in Indiana are unpopular with the general public.

So when Indiana Republicans ban abortion for an entire state, “they are effectively speaking for all Republicans,” said Martha McKenna, a Democratic political strategist, “and that’s why I have hope it’s a good issue for Democrats in November.”

Another political strategist, Jonathan Levy, who worked on the Kansans For Constitutional Freedom Campaign, which is opposed to limiting abortion rights, said the Kansas vote showed that extreme antiabortion positions are “going to be rejected by Americans across the political spectrum. The American people want legislators to focus on how to keep food on the table, keep the economy afloat. They think the legislature’s priorities are out of whack,” he said.

Alongside the near-total abortion ban, Indiana Republicans passed legislation they said was intended to support pregnant women and mothers, but critics pointed out much of the money was directed at propping up pregnancy crisis centers run by antiabortion groups.

Health providers and abortion counseling agencies were struggling to figure out the full impact of the legislation.

Indiana University Health, a major health-care provider in the state, issued a statement saying it was trying to determine what the ban meant for its doctors and patients.

“We will take the next few weeks to fully understand the terms of the new law and how to incorporate changes into our medical practice to protect our providers and care for people seeking reproductive health,” the health provider said in a statement.

Meanwhile, activists began discussing plans to raise funds and provide transportation for those seeking abortion access after the ban goes into effect, said Carol McCord, a former employee at Planned Parenthood.

“Since this is soon to be illegal in Indiana, we are looking for ways to help women travel to get services that they need,” she said. Indiana law was already considered restrictive compared with other states, so about 35 percent of women seeking abortions traveled out of state already, said Jessica Marchbank, who serves as the state programs manager for the All-Options Pregnancy Resource Center in Bloomington.

Democratic state legislators began strategizing Saturday about how to respond, including considering repeal measures and organizing voters to elect legislators who favor abortion rights.

“This is a dark time for Indiana,” said state Sen. Shelli Yoder, an assistant Democratic caucus chair. “The plan going forward is to be sure we come out in November and vote out the individuals who supported something that only a tiny minority of Hoosiers wanted.”

Yoder said in an interview that she and like-minded state legislators are contemplating action in the near term that could undo the impact of the new law, noting that the legislature has not been formally adjourned.

“We can come back and fix this,” she said, adding that legislators are at the early stage of planning how to do that.

Katie Blair, the advocacy and public policy director of the American Civil Liberties Union in Indiana, said Saturday that her organization will examine legal action.

“You can guarantee that our legal team will be working with partners to evaluate every legal avenue available to defend abortion access here in Indiana,” Blair said in a statement.

In signing the legislation, Holcomb applauded the work of the lawmakers he had called into special session this summer to find a way to restrict abortion, acknowledging disagreements among those opposed to abortion.

“These actions followed long days of hearings filled with sobering and personal testimony from citizens and elected representatives on this emotional and complex topic,” the governor said in a statement. “Ultimately, those voices shaped and informed the final contents of the legislation and its carefully negotiated exceptions to address some of the unthinkable circumstances a woman or unborn child might face.”