

Ohio Issue 1, the “Right to Make Reproductive Decisions Including Abortion Initiative” was a 2023 ballot measure that — if passed — would enshrine reproductive rights (including abortion access) in the state’s constitution. This was a “citizen-initiated” constitutional amendment, placed the ballot after two advocacy organizations, Ohioans for Reproductive Freedom and Ohio Physicians for Reproductive Rights, collected more than 700,000 signatures (far more than the 413,000 required).

At the time the ballot measure was being considered, abortion was functionally legal in Ohio up to 21 weeks. A much stricter law, which would ban abortions after six weeks, had been signed by Gov. Mike DeWine in 2019, but this state law had been unenforceable while *Roe v. Wade* offered a federally-protected right to abortion. The six-week ban temporarily went into effect after the Supreme Court struck down *Roe* in June 2022, but was paused several months later while legal challenges proceeded through the courts. If Issue 1 passed, it would supersede the six-week ban, protecting a right to abortion in the state up to “fetal viability” (a term broadly defined in the amendment itself).

The reproductive rights amendment appeared during the general election on Nov. 7, 2023, but several procedural controversies preceded Election Day. In August, a special election was held for another constitutional amendment — confusingly *also* called “Issue 1” — that would have raised the vote threshold for passing state constitutional amendments to 60%. This measure was “legislatively referred,” meaning it originated from state legislators, not a citizen petition. This effort was generally understood to be directly related to the abortion rights initiative (and perhaps, though to a lesser extent, the marijuana legalization initiative that would appear at the same time as “Issue 2”).

The second procedural dispute concerned how the measure would be summarized on the ballot itself. The Ohio Ballot Board voted 3-2 (along party lines, with Republicans holding a majority) to adopt a summary that reproductive rights advocates felt was intentionally prejudicial. Among other objections, the adopted summary referenced abortion multiple times but omitted references to other protections (e.g., protections related to contraceptive access and fertility treatment) and used the term “unborn child” where the amendment itself used “fetus.” Advocates challenged the summary in the state Supreme Court, but most of the language was ultimately upheld in a ruling that was issued on September 19.

When the November election results were finalized, Issue 1 passed with a decisive 14-point margin, with 57% voting in favor and 43% voting against. Had the earlier Issue 1 — the 60% threshold amendment — succeeded in August, the reproductive rights amendment would have failed.

Goals: Memos should be written from the perspective of a political adviser to your assigned case actor. *Stakeholder-specific goals to be addressed by your memo are outlined in the table that follows.* Please be mindful that during a referendum or ballot initiative, it is ordinary voters — not legislators — who ultimately dictate policy outcomes. Strategies to influence the outcome of any such initiative should focus on how your stakeholder can influence *who* votes, influence *how* people vote, or some combination thereof.

Timing: Please write your memo as if it is dated **September 26, 2023**, six weeks until Election Day. This is several weeks after the August special election (that is, you know that the vote threshold will be 50%) and one week after the state Supreme Court finalized the ballot summary language (including the “unborn child” terminology and omissions of language related to non-abortion protections).

The next page contains the stakeholder table. Some additional contextual information follows, as does a list of readings and resources that may be helpful as you write your memo.

Reminder: Please use your HUID (not your name) on your memo to facilitate anonymous grading.

Last Name	Case Actor	Background
A–E	Protect Women Ohio	<p>Protect Women Ohio describes itself as a “coalition of concerned family and life leaders, parents, health and medical experts, and faith leaders in Ohio focused on ensuring that radical out-of-state organizations aren’t able to rewrite our constitution to give Ohio one of the most extreme abortion laws in the country.” For the purposes of this memo, you may understand this to be an umbrella organization inclusive of advocacy/PAC arms Protect Women Ohio Action and Protect Women Ohio Fund; together, these groups reported \$36 million in contributions.¹</p> <p>Your memo should outline the steps Protect Women Ohio should take over the next six weeks to maximize the likelihood that Issue 1 fails. (Given the nature of the organization, it is safe to assume that this <i>is</i> their top priority.)</p>
F–Ja	Gov. Mike DeWine	<p>Gov. Mike DeWine is the Republican governor of Ohio who was first elected in Nov. 2018, assuming office in January 2019. His 2022 reelection was considered a “landslide” victory; Gov. DeWine received 62% of the vote while his Democratic opponent only received 37% of the vote. Ohio limits governors to two consecutive terms, meaning that Gov. DeWine cannot run for reelection in 2026. He said in interviews that he is not interested in pursuing further elected office after his second term concludes.</p> <p>Gov. DeWine is vocally anti-abortion. In addition to signing a 2019 “Heartbeat Bill” that would have banned abortions after six weeks, the governor signed a bill in 2020 that required fetal remains (following a surgical abortion) be buried or cremated; he also voted for anti-abortion legislation during his time as a U.S. Senator (1995-2007).</p> <p>Your memo should outline the steps the Governor should take over the next six weeks to maximize the likelihood that Issue 1 fails, <i>assuming this is a top priority for him</i>. You should also dedicate at least one paragraph to discussing what, if any, political benefits or risks may arise (for him personally and Ohio Republicans more generally) if he does treat Issue 1 as a top priority.</p>
Je–Nak	U.S. Rep. Emilia Sykes (OH-13)	<p>Rep. Emilia Sykes was elected to the U.S. House of Representatives in November 2022, representing Ohio’s 13th district (Akron area). She is in the Black Maternal Health Caucus. Rep. Sykes will be up for reelection in Nov. 2024. Her seat is considered competitive (that is, her reelection is not a “safe” one); she won with 53% of the vote in 2022.</p> <p>Prior to being elected to the U.S. House, she served in the state House from 2015-2022. Rep. Sykes was the first Black female lawmaker under 30 to serve in the state’s legislature.</p> <p>Your memo should outline the steps Rep. Sykes should take over the next six weeks to maximize the likelihood that Issue 1 succeeds, <i>assuming this is a top priority for her</i>. You should also dedicate at least one paragraph to discussing what, if any, political benefits or risks may arise (for her personally) if she does treat Issue 1 as a top priority.</p>
Naw–Z	Ohio Physicians for Reproductive Rights	<p>Ohio Physicians for Reproductive Rights (OPRR) is a grassroots organization comprised of several thousand Ohio physicians. OPRR had a PAC arm that reported contributions of approximately \$2.3 million. They also coordinated closely with coalition organization Ohioans United for Reproductive Rights, which had deeper pockets, reporting \$43 million in contributions.</p> <p>Your memo should outline the steps OPRR should take over the next six weeks to maximize the likelihood that Issue 1 succeeds. (Given the nature of the organization, it is safe to assume that this <i>is</i> their top priority.)</p>

¹ Not trying to get you hung up on any technical/legal stuff here; just want to clarify that you should understand the organization to be well-funded.

Additional contextual information

State political environment In brief, you should be mindful that Ohio leans to the right. During 2023, Republicans held the governor’s seat and large majorities in the state House (26 Republicans, 7 Democrats) and state Senate (67 Republicans, 32 Democrats). Democrats have not held the governorship or majorities in either the Ohio House/Senate since 2010. In 2020, Ohio’s electoral votes went to incumbent President Donald Trump after he secured 53% of the vote, 8 percentage points more than Joe Biden received (45%). In 2016, President Trump beat Hillary Clinton in Ohio by a similar margin (51% to 43%).

Key dates:

- **Oct 10:** Ohio voting registration deadline
- **Oct 11:** Early in-person voting begins
- **Oct 11: Nov 6:** Absentee voting (by mail) permitted, must be postmarked by Nov 6
- **Oct 31:** Last day to apply for absentee ballot
- **Nov 7:** Election Day

Full amendment text (*click [here](#) to view the court-approved summary that appeared on the ballot*):

Article I, Section 22. The Right to Reproductive Freedom with Protections for Health and Safety

- A. Every individual has a right to make and carry out one’s own reproductive decisions, including but not limited to decisions on: contraception; fertility treatment; continuing one’s own pregnancy; miscarriage care; and abortion.
- B. The State shall not, directly or indirectly, burden, penalize, prohibit, interfere with, or discriminate against either: An individual's voluntary exercise of this right or; A person or entity that assists an individual exercising this right, unless the State demonstrates that it is using the least restrictive means to advance the individual's health in accordance with widely accepted and evidence-based standards of care. However, abortion may be prohibited after fetal viability. But in no case may such an abortion be prohibited if in the professional judgment of the pregnant patient’s treating physician it is necessary to protect the pregnant patient’s life or health.
- C. As used in this Section: “Fetal viability” means “the point in a pregnancy when, in the professional judgment of the pregnant patient's treating physician, the fetus has a significant likelihood of survival outside the uterus with reasonable measures. This is determined on a case-by-case basis.” “State” includes any governmental entity and any political subdivision.
- D. This Section is self-executing.

Resources and Readings for Case 2

None of these readings are specifically required; the list is meant to offer a comprehensive starting place for you to learn more about the political context of this debate and how your stakeholder fit into it. Different readings may be more (or less) informative for different case actors. **You may benefit from conducting additional stakeholder-specific research beyond these provided resources.**

All items are ordered chronologically within category. To enhance the benefit of hindsight, we have included resources that postdate when the memo is supposed to be written (September 26, 2023); when that is the case, publication dates are noted in **red**.

Stakeholder summaries

[About Us](#). Ohio Physicians for Reproductive Rights.

[Mike DeWine](#). Ballotpedia.

[About Us](#). Protect Women Ohio.

[Emilia Sykes](#). Ballotpedia.

Policy background and public opinion polls

[Ohio Issue 1, Right to Make Reproductive Decisions Including Abortion Initiative \(2023\)](#). Ballotpedia.

[Abortion Attitudes in a Post-Roe World: Findings From the 50-State 2022 American Values Atlas](#).

PRRI. Published February 23, 2023.

Page S. [Bellwether? Ohio voters back abortion rights amendment in a test case for other states](#). USA TODAY. Published July 24, 2023.

Lewis FW. [The Issue 1 “ballot summary” controversy explained](#). Signal Cleveland. **Published October 9, 2023**.

Trau M. [What is Ohio Issue 1? We explain the proposed abortion rights amendment](#). Ohio Capital Journal. **Published October 19, 2023**.

News articles

Balmert J. [Ohio abortion rights supporters file more than 700K signatures to make the November ballot](#). The Columbus Dispatch. Published July 5, 2023.

Rowland D. [Campaign for abortion rights plans to spend \\$35 million to get Ohio issue passed](#). WSYX. Published July 5, 2023.

Jaramillo C. [Doctors Emerge as Political Force in Battle Over Abortion Laws in Ohio and Elsewhere](#). ProPublica. Published July 31, 2023.

Maguire Armstrong P, Barillas M. [Celebrity-Led Rosary Rally Promotes Ballot Measure to Protect Parental Rights in Ohio’s Constitution](#). National Catholic Register. Published August 1, 2023.

Carr Smyth J. [Backers blast approved ballot language for Ohio’s fall abortion amendment as misleading](#). AP News. Published August 24, 2023.

Ohio Capital Journal Staff. [Ohio Supreme Court approves abortion rights amendment Ballot Board summary for voters with one tweak](#). Ohio Capital Journal. Published September 20, 2023.

Edelman A. [Ohio abortion-rights supporters worry about ballot confusion in November](#). NBC News. Published **October 7, 2023**.

Livingston D. [“Bans Off” rally in Akron jumpstarts Ohio abortion rights campaign for Issue 1](#). Akron Beacon Journal. Published October 8, 2023.

London J. [Ohio Gov. Mike DeWine breaks down stance on Issues 1 and 2 on November ballot](#). WLWT. Published **October 19, 2023**.

Ollstein AM. [Vulnerable Ohio Democrats hope to ride abortion referendum to victory in 2024](#). POLITICO. Published **October 29, 2023**.

Ingles J. [Promises being made and politics being played in final days of early voting on Issue 1](#). The Statehouse News Bureau. Published **October 31, 2023**.

Thompson E. [In Ohio, a Grassroots Coalition Is Poised to Restore Reproductive Rights](#). Harper’s BAZAAR. Published **October 31, 2023**.

Tebben S. [Pastors engage congregations on Issue 1 as Election Day approaches](#). Ohio Capital Journal. Published **November 6, 2023**.

Tebben S. [Ohio voters pass Issue 1 constitutional amendment to protect abortion and reproductive rights](#). Ohio Capital Journal. Published **November 8, 2023**.

Political statements, interviews, editorials, press releases, and other miscellany

Kramer N and Celeste C. [Opinion: Politicians making Ohio women’s health a game. Abortion rights can’t wait to 2024](#). The Columbus Dispatch. Published February 14, 2023.

[Protect Women Ohio – Resources page](#). *Assume that any resources on this page were already developed/published as of September 26 (the memo date).*

[Protect Women Ohio advertisement, featuring Gov. Mike DeWine and First Lady Fran DeWine](#). Published October 11, 2023.

[Election Essentials - A Deep Dive into Ohio Issue 1](#). Cedarville University. **Published October 17, 2023**. *Note that this is a moderated conversation (video) by two speakers who oppose Issue 1 — there is no written transcript available as far as I am aware.*

Skinner D. [Reproductive Freedom in Ohio: Misinformation and the Stakes of Issue 1 \(Interview with Dr. Marcela Azevedo, co-founder of Ohio Physicians for Reproductive Rights\)](#). WCBE 90.5 FM. **Published October 24, 2023**. *Note that this is a radio segment (audio) — there is no written transcript available as far as I am aware.*

[Pod Save America Interview with Emilia Sykes](#). **Published October 31, 2023**.