







# PROChoice

Westchester Coalition for Legal Abortion-PAC

**Use the right to vote to  
protect the right to choose**

## 2001 VOTING GUIDE

### VOTE NOV. 6, 2001

-  Tear off this yellow Voting Guide.
-  Save it until Election Day.
-  Make copies for your friends.
-  Carry it openly into the voting booth.

**Our endorsed candidates are listed in  
BLUE BOXES  
VOTE ONLY FOR THEM**

## **FREEDOM OF CHOICE – VOTE FOR IT!**

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237 Mamaroneck Avenue, White Plains, NY 10605

Autumn 2001

ProChoice, Westchester Coalition for Legal Abortion, Inc.



# PROChoice

Newsletter of Westchester Coalition

for Legal Abortion, Inc.

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## Keep Andy Spano County Executive

**A**bortion is a county issue. Westchester needs to keep **Andy Spano** County Executive.

The front page of the summer 2000 issue of *ProChoice* underscored the influence a County Executive has regarding reproductive rights. It was then that a new initiative by Spano made prescription contraceptives available to county employees participating in the county's health benefit plan.

At that time, Spano said: "This coverage is long overdue. It's become increasingly important that we recognize the specific needs of our female workers and provide them with the services they seek." He continued: "The county is well aware of the costs of such prescriptions and wants to reduce the burden so often placed on women."

Months later the federal Equal Employment Opportunity Commission issued a ruling saying just that. Then, on June 12, 2001, a federal district court ruled in a Seattle case, *Erickson v. Bartell Drug Co.*, that an employer's failure to cover prescription contraception while other prescriptions are covered constituted sex discrimination in violation of Title VII of the Civil Rights Act of 1964.

Andy Spano didn't need the federal government to tell him women were being discriminated against – he already knew it and had already rectified the problem in Westchester.

The County Executive impacts reproductive health services in many ways. He appoints (subject to confirmation by the county legislators) commissioners, including Health, Social Services and Corrections. It is a county decision whether inmates will get pregnancy

tests, abortions, and prenatal care on request and without delay.

County Health Department clinics and neighborhood health centers which receive county funds provide many women with their only access to reproductive health care.

Throughout his many years in public life Andy Spano has been pro-actively pro-choice. His opponent, Lawrence Horowitz, is an attorney who is also pro-choice. WCLA urges Horowitz to continue his political involvement. However, in this race, Spano's track record and leadership spanning many years makes him the clear-cut winner of WCLA's endorsement.



## Tony Castro for District Attorney



issues and threats to reproductive rights.

Before becoming a candidate for District Attorney, Castro was a prosecutor with the Bronx District Attorney's office for 14 years. While there, he served as Deputy Bureau Chief in charge of Homicide Investigations and supervised the Grand Jury Evaluation Bureau. Many assistant prosecutors were answerable to him.

To be considered for endorsement, candidates must respond to a comprehensive questionnaire detailing their views on the many issues that comprise "abortion rights." It isn't enough to say "I'm pro-choice"; candidates must show a familiarity with relevant legislation and court decisions.

Unlike other organizations, incumbents receive the same scrutiny as challengers. Jeanine Pirro, the incumbent DA, lost the support of WCLA after she submitted a questionnaire with significant omissions and responses contrary to WCLA's position.

**T**ony Castro is WCLA's choice for Westchester District Attorney. He unequivocally supports a woman's right to choose abortion and understands the reproductive health issues that are on the horizon. Castro has demonstrated a thorough knowledge of the current

# On the President's Mind

By Polly Rothstein

**M**y stream of consciousness these days is like a river in a rain storm, a torrent of muddy water, foam, and debris. My motions, thoughts, and images pass by too fast to grasp, then they're gone.

The terrorism on September 11 exceeded anything I could ever have imagined or feared.

I had been alerted in time to see the second airliner hit the World Trade Center, and later I watched the towers collapse. Not a television-watcher anyway, I couldn't and didn't return to the visuals that held others spellbound. I listened to the radio, but not to the roving reporters in the neighborhoods near Ground Zero. I stared at photos, trying to absorb the enormity of the images. I couldn't find words, settling for "unspeakable" when the subject was discussed. I read the newspapers, but sought out essays, editorials, and opinion pieces in newspapers, magazines, and online. I lingered on the printed page, rereading some paragraphs, marveling at the myriad views as well as the writing under pressure. When a writer spoke for me, I was comforted that it had been said.

Someone asked me what went through my mind when the towers imploded. I replied, "This can't be." The same words go through my mind as I repeatedly contemplate the fact that though I had defied the odds to survive the sepsis that came from back surgery, it damaged my spinal cord and left me disabled. This life alteration is still unfathomable, but I wish I that simple phrase hadn't come to mind regarding September 11th.

We're all doing our best to resume our daily routines. I find the moments of mental escape to be restorative.

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"Off-year election" is an oxymoron. All elections have far-reaching impact and voters would be unwise to sit them out. Please put all else aside for as long as it

takes to consider this year's elections, including consulting the 2001 yellow voting guide.

On November 6, we the voters decide who runs our county. Westchester has an activist government, so it behooves us to decide who's in charge. If you've ever attended a budget hearing, you've witnessed the passions — for and against — every line item. Elect the wrong people and watch how quickly we'll hear talk of cutting funding for this program and that and, of course, creating barriers to birth control and abortion. Remember the bipartisan vote to establish a Human Rights Commission that protects the rights of lesbians and gays? That victory can be traced to elections where WCLA encouraged voters to replace reactionaries with progressives.

And of paramount importance: The county candidates we elect in 2001 are tomorrow's candidates for higher office.

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I hope this issue is delivered on schedule, because WCLA is throwing a gala celebration for my 65th birthday. I'm thrilled that so many family, friends, WCLA contributors, and political figures are coming. The souvenir journal is an album of photo pages sponsored by friends (remember WCLA's 25th anniversary journal?), with some traditional ads as well. The album is a gift from a dear friend for the benefit of WCLA. A splendid surprise gift comes with it — but I promised not to tell. Please come celebrate with me on Saturday night, October 27th at the Rye Town Hilton. Even at the last minute, call 946-5363.

In the remaining space, I rebuke the media, the Bush administration, and New York State government for failing to acknowledge the link between the September 11 terrorist attacks by merciless religious fundamentalists and the terrorism inflicted in a years-long domestic holy war on abortion providers and women seeking abortions. And I wish to point out the flagrant hypocrisy: as we send American servicewomen to Afghanistan, where the Taliban has imposed repressive curbs on women, the House votes against permitting U.S. military hospitals to be used for abortions, even self-paid abortions, and even if there's no safe place to go in the country.



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## Jerry Falwell and Pat Robertson Engage in Reprehensible Televangelism

Jerry Falwell and Pat Robertson took to the airwaves to blame pro-choicers, the federal courts, the ACLU and others for the September 11 attack on the World Trade Center.

The World Trade Center attack was tragic. Our thoughts are with those who are grieving. Words cannot describe the loss and emotions run deep.


The blame belongs with terrorists. It does not belong with the ACLU. And it does not belong to the millions of Americans who assert that a woman has a right to choose. How dare these two religious right televangelists, Falwell and Robertson, blame civil libertarians, feminists (most notably abortion rights supporters) and homosexuals for these diabolical attacks?

The comments by the two were made on Christian Broadcasting Network's "700 Club" which is hosted by Robertson. Falwell's venom included attacks on the federal judiciary. Robertson said he fully concurred.

After a media firestorm resulting from the remarks, Falwell tried to back-peddle and pointed blame at terrorists. He had to. Even his most ardent supporters, including President Bush, denounced the remarks.

Robertson, in the meantime, retracted his support, saying that he had not fully understood what Falwell was saying.

## We Go On In Our Fight



Like millions of Americans, we at WCLA reeled in anguish at the World Trade Center bombing. Like millions of Americans, we find it difficult to be comforted. It is astonishing and terrifying that a small handful of fanatics can alter the lives and psyches of millions of others. Always lurking is our fear of what this event will mean for us, for our country, for our way of life.

Our volunteers, who are a critical part of WCLA, have shown up at our office in force. They show us that our values and ideals must be preserved; that our country's strength is based on our

## What Can \$300 Buy?

In July the Treasury Department began the ten-week process of mailing out 98 million tax refund checks. These checks resulted from a tax bill the President signed which created a bottom income tax bracket of 10 percent, effective retroactively to the beginning of 2001. One of the reasons given for the push to pass the tax bill was the stimulation of the economy. Now, you may wonder, what does this have to do with choice and reproductive rights?

Bush, while telling Americans he was giving us back our money, turned around and submitted to Congress a proposal to eliminate prescription birth control coverage from the benefit package afforded a federal employee. In practical terms this Presidential plan is far more significant than the tax refund to the typical female employed in the federal service. The cost of oral contraceptives runs about \$30 per pack. If Congress concurs with the President on this one, women who depend on birth control care as part of their employment package would now have to shell out well in excess of \$300 per year for prescriptive contraception.

The President touted his tax plan as relief for the average American taxpayer. Bush acted as if he were Santa. But...Santa doesn't take away more than he gives.

Unfortunately, even though Bush's U.S. Surgeon General, David Satcher, urges [see "Debate," p. 11] comprehensive sexual education, the administration instead proposes a huge increase for "abstinence only" programs, while offering no increase in Title X funding, the domestic family planning program which benefits providers such as Planned Parenthood and many state health departments.

In article after article, journalists are now second-guessing the tax scheme. Now there is finger-pointing in Washington regarding who stole the surplus: it's obvious to all that it wasn't family planning programs.

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ability to differ with each other and be diverse in our approaches to issues, that we cannot be swept up in a frenzy of anti-civil rights ideology. There are major issues to be decided on the domestic-policy front, and in the fight for preservation of our democratic republic, we cannot overlook the role of women's voices and women's needs.

If we fight for the American way of life, then surely reproductive choice in women's lives is part and parcel of it. We go on in our fight for women's health. The WCLA lights are on, our computers are humming, and we continue.

## Some Good News! California Legislature Says "Yes"

The California legislature passed a bill which will enable women to receive emergency contraception (EC) over the counter. This means that in California no prescription will be necessary to obtain the so-called "morning-after pill." Pharmacists will be required to have "accredited training" administered by the state Board of Pharmacy. The curriculum will include "sensitivity training."

EC is effective in preventing pregnancy for up to 72 hours after unprotected sex. Since a prescription will no longer be required, women will be able to avail themselves of these time-sensitive pills earlier. Gov. Gray Davis is expected to sign the legislation.

## Court Determines Future of Frozen Embryos in Divorce Dispute

Most divorce attorneys ask the courts to give their clients all marital assets. The New Jersey Supreme Court recently had to decide the question of procreation rights and pre-embryos.

Facing the New Jersey court was a dispute between a divorced couple (M.B. was the husband and J.B. the former wife) regarding the disposition of seven pre-embryos which remained in storage following the unsuccessful in-vitro fertilization treatment done during the marriage. The former husband sought an order which would have allowed the pre-embryos to be implanted or donated to other infertile couples. The former wife sought to not have them used without her consent.

In a well-publicized August decision, the New Jersey Supreme Court affirmed the two lower court rulings, saying the fundamental right of J.B. not to procreate outweighed M.B.'s right to procreate. He was already a father and capable of having other children. Were he denied the right to donate the pre-embryos it would not mean he was denied the right to sire a child, whereas successful implantation would force J.B. to become a biological parent.

There was precedent for this decision: the Tennessee Supreme Court found a constitutional right to not procreate in 1992. The case was appealed to the U.S. Supreme Court which declined to hear it.

## Accused Slepian Killer Awaits Extradition Hearing in France

James Kopp, the accused killer of Dr. Barnett Slepian, is still in prison in France, awaiting the French court's decision on his appeal of his extradition to Buffalo for trial.

Arrested in May in France, Kopp lost the first round in his attempt to avoid a return to the United States. French courts agreed to extradite Kopp only after the Bush administration assured the court that the death penalty would not be sought. Kopp immediately appealed the extradition ruling.

In addition to state murder charges, Kopp also faces federal charges under the Freedom of Access to Clinic

Entrances Act.

In the meantime, friends of James Kopp insist that Kopp could not possibly have bought the rifle used in the murder. Doris and Patrick Grady have signed affidavits stating they are positive Kopp did not leave their home during a six week period in the summer of 1997, including July 16<sup>th</sup> when he allegedly purchased it in a pawn shop.

Life Dynamics, an outspoken anti-choice organization, recently issued a report detailing inconsistencies in the case against Kopp. While the report does not claim that Kopp is innocent, the organization, along with the Gradys and other anti-choice activists, believe

## He has a right to procreate — in 111 years

The Los Angeles Times reports that the California Attorney General's office was appealing a federal appellate court ruling that found that male prisoners have a right of procreation, even while in custody. The ruling, the court said, did not apply to female prisoners due to issues of caring for pregnant inmates.

In its ruling, the lower court cited two Supreme Court cases. In one case it was concluded that prisoners continue to have the right to marry. The other outlawed the sterilization of prisoners, asserting their right to procreate once released from custody.

The Attorney General for California, as his rationale for appealing the lower court's decision, cited problems with their ruling. He asked for guidance about the treatment of female inmates. He also expressed concern about the state's potential obligation to pay for artificial insemination if the lower court's ruling is allowed to stand.

The inmate who initiated the suit is serving a 111-year sentence.

that the rifle purchase is one of many pieces of fabricated evidence by the FBI.

The aggressiveness with which Attorney General John Ashcroft pursues the case against Kopp is being keenly observed by pro-choice as well as anti-choice groups. Many contend that Ashcroft's response to threats of violence against clinics and their staff has been somewhat desultory. Abortion opponents, on the other hand, assert that former Attorney General Janet Reno was too forceful in protection of clinics against illegal activities.

# The Envelope Please . . . We Choose:

## Tom Abinanti for County Legislator

**W**CLA urges the voters of District 12 to re-elect **Tom Abinanti** to the County Board of Legislators. His name will appear on the Democratic and Working Families lines.



Tom Abinanti is an unwavering friend of the pro-choice community. For many years, he was WCLA's pro bono attorney. Throughout his tenure on the County Board (to which he was first elected in 1991) Tom has been a tireless voice for initiatives that could help ensure a woman's right to choose. He championed a clinic access bill which is now New York State law. He also spoke out vehemently against the appointment of judges who took the Right to Life line.

This year, to the surprise of no one on the WCLA Board of Directors, he reiterated his support of choice. His opponent, John J. Dawson, the Republican nominee, did not respond to WCLA's questionnaire.

Abinanti can always be counted on to support and advocate for choice. Let's return this friend to the County Board of Legislators.

## Elect Philippe Gille County Legislator – District 17



**I**n District 17, **Philippe Gille**, the Republican candidate, deserves to be elected County Legislator. He is the pro-choice candidate for this district who has been endorsed by the WCLA Board of Directors.

Gille is no stranger to County government. From July, 1983 to March, 1998, he served in several posts including Director of Government Relations and Assistant to the County Executive. Gille is at present the

Director of Constituent Services for the City of Yonkers.

The seat for District 17 on the County Board of Legislators is open due to the retirement of Katherine Carsky. Gille's election would put this district into the pro-choice column.

The Democratic candidate, Jose Alvarado, is anti-choice.

## WCLA's Co-Endorsements Have Special Significance

*by Nancy K. Montagnino*

**W**CLA has been asked the question "What does a co-endorsement mean?"

WCLA is non-partisan. We are here to protect a woman's access to abortion and birth control. There are some legislative races in which both major parties have fielded a pro-choice candidate. While we are pleased at this surfeit of riches, we are faced with a special decision-making process when two pro-choice candidates seek the same office. In this situation WCLA's Board of Directors considers co-endorsement. This means that neither candidate is "preferred;" they are literally co-endorsed.

This year WCLA bestowed co-endorsements in four races: County Clerk and County Board of Legislators Districts 2, 5 and 14.

**County Clerk**— In the race for County Clerk, incumbent Leonard Spano, running on the Republican line, shares a co-endorsement with Lisa Copeland, who is currently the Mount Vernon City Clerk. Both are avowedly pro-choice.

**District 2**—Ursula LaMotte, a Republican, has received WCLA's nod in her prior campaigns. She has demonstrated her commitment to choice once again this election cycle. She is the incumbent. Her Democratic opponent, Nick Vazzana, is a politically active businessman who is solidly pro-choice. These two candidates were co-endorsed.

**District 5** — County Legislator Bill Ryan (Democrat) is running for re-election. He is a longtime friend of WCLA. Prior to his service on the Board of Legislators he was a State Assemblyman. His pro-choice credentials were intact then and remain so now. This year he faces Republican Candyce Corcoran, a community activist. She, too, is prochoice and serves as treasurer of an independent federal political action committee (PAC), ProChoice Voter. Acknowledging their equal commitment to choice, WCLA has co-endorsed these two candidates.

**District 14**—The Republican incumbent, Bernice Spreckman, has again received WCLA's nod. Her opponent, Democrat Stephanie Spano, is also committed to reproductive rights. Again, WCLA has decided that on the choice issue, the two candidates are co-equal; hence the co-endorsement.

There are more Endorsements on page 6

## Martin Rogowsky for County Legislator

In the election for County Legislator in District 6, WCLA gives its endorsement to **Martin Rogowsky**. This is an open seat. Paul Noto, the current legislator who is pro-choice, has opted not to run again.

Marty Rogowsky has earned the endorsement of WCLA. He has a long history of public service, including a stint as Chief of Staff to Congressman Richard Ottinger. Rogowsky, a lawyer, was a County Legislator from 1990 to 1993, when he was defeated by Noto. Today he serves as Chairman of the Westchester County Public Utility Service Agency.



The November, 1993 issue of *ProChoice* had this to say about Martin Rogowsky: "A wall in the Westchester Coalition for Legal Abortion office is plastered with yellow Voting Guides dating from 1972, the year WCLA was founded. In the 1974 edition is the name Martin Rogowsky. Readers might correctly infer that his pro-choice credentials are in good standing." The article continues: "Marty Rogowsky, a Democrat, is running for his third term as county legislator. WCLA, grateful for so many years of strong support and help, has given its endorsement to Rogowsky once again."

Rogowsky again expressed to WCLA his firm commitment to choice. His opponent, David R. Hall, is also pro-choice, but does not have the long-standing involvement with the issue.

## Judge Jo Ann Friia for Supreme Court

Judge Jo Ann Friia has announced her decision to run on the Democratic line for the Supreme Court – 9<sup>th</sup> Judicial District. WCLA would welcome her as an addition to that bench. We therefore endorse her.

Friia has been a White Plains City Court Judge since 1993 and has been the Senior Judge since 1997. Friia received her degree in 1979 from Pace University School of Law.



She is a past president of the Westchester Women's Bar Association. During her tenure, the WWBA supported the pro-choice position in pending litigation.

The 9<sup>th</sup> Judicial District includes the counties of Westchester, Rockland, Putnam, Dutchess and Orange.

## Guide to the Spanos

- Andy Spano is running for re-election as County Executive.
- Andy's a Democrat.
- Len's the County Clerk.
- Len's seeking re-election.
- Len's a Republican.
- Stephanie is running for County Legislator.
- Stephanie's a Democrat.
- Stephanie, Andy and Len aren't kin.
- Senator Nick and Assemblyman Michael are Len's sons.
- Nick and Mike are Republicans.
- Andy was chair of the Democratic Party.
- Nick was chair of the Republican Party.

### Castro, from page 1

In a follow-up phone discussion with WCLA, Pirro demonstrated a surprising lack of knowledge regarding serious threats to access to the full range of reproductive health care. For example, Pirro hand-wrote "I don't know" instead of answering YES or NO on an eight-part question based upon the so-called partial-birth abortion ban, which was struck down by the U.S. Supreme Court.

In her questionnaire, Pirro stated that she did not oppose hospital mergers which would result in the loss of reproductive health services. The mergers of religious and nonsectarian hospitals are of tremendous concern to family planning advocates in New York State since religious hospitals, usually Catholic, when partnering with nonsectarian hospitals, seek to eliminate abortion and family planning services (including tubal ligation) from the roster of provided medical services.

In discussion, Pirro showed some recognition of the issue, but not the understanding that would be expected of someone who expresses a strong feeling about women's rights in this area. WCLA was disheartened that this incumbent was so ill-informed about issues that have been covered in the press and previous issues of *Pro-Choice* – yet seeks the endorsement of the Westchester Coalition for Legal Abortion.

## Idaho Anti-Abortion Law Is Enjoined

In an important decision an Idaho district court has conveyed justice to low-income women seeking Medicaid coverage for medically necessary abortions.

In September the court blocked the Idaho law impermissibly restricting assistance for abortions, saying that "that irreparable harm will result if a preliminary injunction is not issued." It stated further that Planned Parenthood of Idaho has a "reasonable likelihood" of prevailing in their challenge of the law, which denies coverage to indigent women seeking abortions which are necessary to preserve their health.

# Nita Lowey is Woman of the Year!

The Honorable Nita Lowey was bestowed the Woman of the Year award by the Women's Equality Day committee. WCLA, a member of that committee, is proud to have nominated her. Lowey was presented with her award by Polly Rothstein, President of WCLA. Rothstein received a standing ovation at the August 24th event as she made her way to the podium.

Lowey, in her remarks, said: "We must never forget what it was like before *Roe v. Wade*. Our emergency rooms were filled, night after night, with women bleeding and feverish from botched attempts to end a pregnancy. Every year, 5,000 lost their lives, often spending their last moments alone and ashamed.

"Many of us resolved then that we would never again have to ask, never again have to appeal, never again have to plead. We would be in a position to say, loudly and clearly, it is our choice. And, as a result, those dark days are behind us. But the right to choose is never completely secure. In recent years, we have been forced in Congress to cast some 150 votes to scale back reproductive freedom. Sometimes to ban a procedure, sometimes to erect a



new hurdle, sometimes to place a gag over doctors all around the world.

"And there is more. Despite the enormous medical advances promised by stem cell research, there are those prepared to sacrifice millions suffering from Alzheimer's, Diabetes, Parkinson's, and more, in favor of rigid ideology, totally disconnected from medical science.

"The goal is always the same: chip

away our rights, little by little, until they exist on paper only, if at all.

"Well, I believe this: a right confined to the shadows and scorned by professionals is not a right at all. We must insist that choice be more than a word, more than a legal concept, more than a vague ideal, it must be real and vibrant for every woman in America.

"We must end this cynical debate about a particular procedure or restriction to remind the public of the central question: who decides?"

"And we must cut through the clutter of images and charges to tell younger Americans about the dark past we leave behind. This much is certain: a nation which denies women the most basic of choices, may some day leave women without any..."

Congresswoman Lowey's remarks drew thunderous ovations from the assembly. There were, however, the usual dissenters. As in past years, right to life protestors tried, but did not succeed, in marring the event.

The STAR program of the Northern Westchester Shelter was awarded Project of the Year by the Women's Equality Day committee.

## State Courts Restrict Right to Procreate

Two state courts have recently ruled to restrict a man's right to procreate if he is unable to support his children. These decisions directly oppose the 1942 Supreme Court ruling establishing procreation as a basic human right. It is ethically and politically dangerous and unconstitutional to regulate any adult's reproductive and sexual choices.

The Wisconsin Supreme Court upheld an order that bars a man convicted of failure to pay child support from fathering children until he can financially support all of his offspring. Justice William Bablitch wrote the majority opinion in the parole violation case against "deadbeat dad" David Oakley: "It is overwhelmingly obvious that any child he fathers will be doomed to a future of neglect, abuse or worse." A Texas district court ruled similarly against Robert Torres, threatening the twenty-year-old father to a life in prison if he has pre-marital sex. Torres now regularly receives polygraph tests on his sexual activity, and Wisconsin is planning on issuing paternity tests for Oakley's girlfriends if they become pregnant.

These rulings are troubling to reproductive rights activists.

Allowing courts to regulate private decisions about procreation and sexuality opens up a Pandora's Box of issues, including coerced abortion and financial requirements for parenthood. With "deadbeat dads" facing possible life prison sentences, it is not inconceivable that partners of these men will be forced into unwanted abortions if they become pregnant.

This wouldn't be the first time the government has interfered with our basic human rights. Between 1907 and 1964, tens of thousands of Americans, mostly poor, minorities, or criminals were declared "genetically inferior" and sterilized as part of a mass eugenics movement. Decisions like those in Wisconsin and Texas are acutely reminiscent of the "bad old days."

While laws against parents failing to pay child support have been toughened, offenders still owe \$11 billion annually. As difficult a situation as this may be, it is not suitable for lawmakers to decide who is suitable for parenthood. Perhaps lawmakers should stay out of the bedroom, and focus on family planning education and job training instead.



# Stem Cells – The Issue That Doesn't Go Away

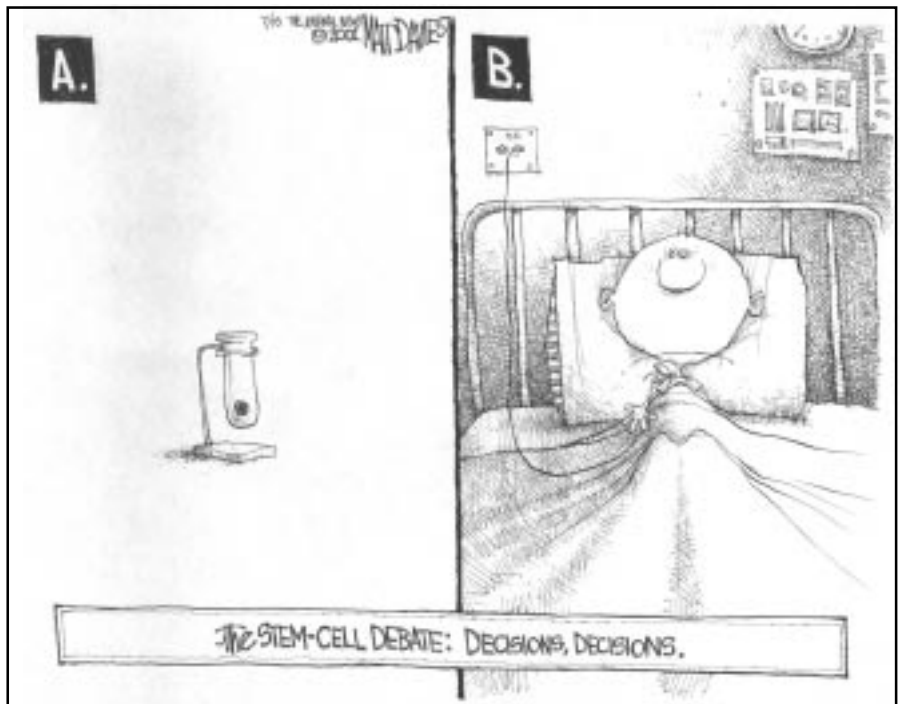
In August President George W. Bush announced his decision to federally fund limited stem cell research. In making his announcement, which was televised, he claimed that “60 genetically diverse stem cell lines already exist.” Bush will allow federal funds to be used on those lines only.

But there is a major problem. Health and Human Services Secretary Tommy Thompson, in his testimony before the Senate Health, Education, Labor and Pensions Committee, conceded that fewer than half of these lines were fully established and ready for use.

Ten companies and academic centers – six of which are outside the United States – have been identified by the National Institutes of Health as having embryonic stem cell lines appearing eligible for federal funding.

The NIH and the subsidiary in charge of patenting discoveries at the University of Wisconsin-Madison (which has five stem cell lines) have reached an agreement regarding the work on these lines. By the agreement's terms, the NIH scientists will be able to publish their work and retain ownership of resulting discoveries.

However, nine more agreements are needed. The Wisconsin agreement is expected to serve as a blueprint.



Cartoon reprinted by permission Matt Davies

The Administration is also facing bi-partisan skepticism. At the Senate panel's hearing before which Thompson testified, Senator Edward Kennedy (D-MA), said that while the door has been opened to funding, “The question before Congress is whether the door is opened wide enough – whether the stem cell lines identified by the administration are adequate and available for the research that is needed now to save lives.” Senator Arlen Specter (R-PA) has also vowed to push for increased funding.

The August 9 telecast simply aired the President's compromise, but stay tuned.

## Bush Administration Restricts Aid to Family Planning Again But, Under Pressure, Reverses His Decision for New York

by Elizabeth Benton and Fran Snedeker

If there is one lesson we have learned under the Bush administration, it is the power of the purse. First, Bush reinstated the Global Gag Rule eliminating aid to all federally funded international humanitarian efforts mentioning the word abortion; then he attempted to remove contraception from Medicaid coverage; and then in July his administration decided to reject all requests from states to offer more family planning and contraceptive services under their Medicaid programs. These repeated moves to restrict and deny aid to women and families in need are a significant departure from his campaign promise of pro-family “compassionate” conservatism.

A major assault on Medicaid coverage came in mid-July when the Bush administration denied the state of Georgia's request to extend family planning services from two months to two years. The plan was an attempt to assist Medicaid mothers in spacing their children, an effort that would help both mothers and families. A proposal from New York State to expand Medicaid eligibility from 185% above the poverty line to 200% above was also rejected.

Pressure on the White House to reverse this decision came from Capitol Hill as well as Albany. Governor Pataki, Joann Smith of Family Planning Advocates, and Lynn Grefe of the National Republican Pro-Choice Coalition joined 22 U.S. senators (including New York

Senators Charles Schumer and Hillary Clinton) to urge a change of heart. In the senatorial letter to Secretary of Health and Human Services Tommy Thompson, it was stated that the policy “undermines efforts to reduce unintended pregnancies and improve maternal and infant health.” Finally, in September, Thompson capitulated and approved New York state's request for the family planning waiver. Now covering a family of three with an income up to about \$30,000, this increase is a terrific boon to families who work in service jobs which do not provide health insurance. More than 400,000 low-income women in New York alone will now have access to reproductive health care.

# WCLA Mourns the Loss of Irving Rust, M.D.

It is with great sadness that we note the death in September of a longterm hero in the reproductive rights field, Irving Rust, M.D.

Dr. Rust's already considerable stature was significantly elevated in 1991, when the U.S. Supreme Court handed down its unfortunate ruling on *Rust v Sullivan*. He was the lead plaintiff against the Reagan Administration's "gag rule." In this first incarnation of the nefarious gag rule, family planning programs funded under Title X of the federal Public Health Service Act were barred from providing

any abortion counseling or referral information to their patients. The *New York Times* noted that as Medical Director for the Planned Parenthood Center in the South Bronx, Dr. Rust viewed the gag rule as an issue of free speech. Although the Reagan court ruled against choice in this case, the strength and eloquence of Dr. Rust's challenge of the gag rule was widely lauded.

Long before and after this handing down of the *Rust v Sullivan* decision, Dr. Rust was on the front lines, delivering compassionate reproductive health

care to thousands of needy and appreciative women in the South Bronx. Having grown up in Harlem during the 1930s and '40s, he suffered for his mother and aunts, who fell gravely ill from back-alley abortions. In the days when abortions were still illegal, Dr. Rust treated countless women who had been hospitalized with complications resulting from botched abortions.

He was revered by staff and patients alike. His passing comes too soon. We add our voice to the chorus of sympathy messages to his widow, Cora.

## Focus on 2002 – PLEASE, North Carolina, Don't Give Us Another Senator Dole!

The possibility of the election of Elizabeth Dole to the U.S. Senate is disconcerting to feminists as well as pro-choice advocates. Even though the idea of another female senator is appealing, the thought of having Dole follow her husband's tracks into the Senate is not what we had in mind.

You've got to say one thing about her: Dole doesn't mince her words about abortion. She has been totally consistent in her anti-choice stance. She is so solidly anti-abortion that the ultra-conservative religious leader Jerry Falwell praises her, saying "I've known Liz Dole for many years...She is as pro-life as I am." The most pro-active words Mrs. Dole has ever uttered on women's rights occurred during her 1996 foray into presidential politics when she carefully **avoided saying anything at all** about women's issues.

We have reason, therefore, to be very concerned about the possibility of her election in 2002, when she hopes to replace Jesse Helms, who is retiring. A fragile balance between moderate and hard-line senators could be upset by the election of just two more abortion foes. Bush's attempts to push through his conservative, faith-based initiatives and anti-choice platform have largely been stalled due to the current moderate make-up of the Senate.

## Peruvian Women's Health Advocate Exposes Gag Rule Hypocrisy

The presidentially decreed "global gag rule" was lifted for a few hours to permit the head of an impacted non-governmental organization to testify at a special Congressional hearing.

The Bush administration was faced with its own hypocrisy when it gave Susana Galdos Silva special permission to speak before the Senate on the effect of the gag rule in Peru. Under the global gag rule the Peruvian reproductive rights advocate would be unable to discuss Peru's abortion law without losing USAID funding for her organization, Movimiento Manuela Ramos. By special agreement with White House officials, she was able to freely testify on that one day, July 19<sup>th</sup>, but the rule went back into effect immediately after her testimony.

Silva testified about the dire consequences of Peru's longstanding ban on abortion and then elaborated on the devastating effects the global gag rule has had on organizations trying to encourage debate on lifting the abortion ban. "The gag rule has taken away my freedom to speak about an important issue in my country—a serious issue that is about the life and death of women in Peru...It tells us that we in low-income countries cannot seek to make and implement our own laws, nor make changes to them...As the U.S. should know, democracy is nourished and strengthened with free speech," she stated before Congress.

If Silva reports her Congressional testimony in her own country, her program will be subject to a loss of U.S. funds. Bush reinstated the global gag rule, also known as the Mexico City Policy, as one of his first acts in office. The policy forbids international organizations receiving USAID funds from mentioning abortion. Under the gag rule, important efforts such as those by Manuela Ramos in Peru, HIV/AIDS relief programs in Africa, and Maternal and Child Health programs in the Middle East have been defunded because the private agencies operating them also perform or advocate for abortion with other, non-U.S. monies.

**Don't even think of not voting!**

**ACTION  
ALERT!  
ACTION  
ALERT!**

Abortion rights opponents hope you'll stay home on Election Day, November 6. After all, they'll tell you, only the county government is at stake. No big deal? Keep your eye on the target – a pro-choice county government that will protect your access to family planning and abortion. Take the time, make the effort...take your yellow Voting Guide with you and VOTE.

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Key	
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-	Anti-choice
+/-	Mixed, qualified
D	Democrat
R	Republican
C	Conservative
I	Independence
L	Liberal
RTL	Right to Life
F	Freedom
W	Working
G	Green
◇	Has run on RTL

This list keeps improving because YOU elect pro-choice candidates.

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# Debate over Sex Education Heats Up, Summer 2001

by Elizabeth Benton

As temperatures in Washington rose, so did the debate over pre-marital sex and abstinence-until-marriage education. On June 28, Surgeon General David Satcher issued his, "Call to Action to Promote Sexual Health and Responsible Sexual Behavior." The comprehensive report urges a "mature, thoughtful, and respectful discussion nationwide about sexuality." Less than a month later, the Department of Health and Human Services, under former Republican congressman Tom Coburn's request, released a report on the effectiveness of condom use in preventing sexually transmitted diseases (STDs). The White House has distanced itself from the Surgeon General's report and continues to assert its belief that, "abstinence and abstinence education only is the most effective way to prevent AIDS, to prevent unwanted pregnancy."

After a 28-member panel found insufficient evidence of the use of condoms in preventing certain STD's, the Department of Health and Human Services reasserted its belief that there is no such thing as "safe sex" unless it is inside a mutually monogamous relationship with a non-infected partner. Coburn is now using this information to press for condom labeling, warning buyers that condoms have not been proven to be 100% effective in preventing certain STD's. The Physicians Consortium, consisting of the former congressman, Rep. Dave Weldon (R-FL), the Catholic Medical Association and a range of other physicians' groups held a press conference on July 24th urging the immediate resignation of the Center For Disease Control's (CDC) Director Dr. Jeffrey Koplan. The Consortium believes that the CDC "hid and misrepresented vital medical information" about condom effectiveness. The groups asked the Department of Health and Human Services to withdraw funding from agencies whose educational and promotional materials do not use what they consider to be medically accurate information. Their press release stressed the importance of abstinence-until-marriage education as the only "health model that completely protects against all STDs."

Surgeon General Satcher's research could not find sufficient evidence that abstinence-until-marriage programs, such as those backed by the Physicians Consortium, the White House and the Department of Health and Human Services, reduce unwanted pregnancy and STDs. On the other hand, the Surgeon General's research found that programs emphasizing both abstinence and contraceptive measures either had no effect on the initiation of sexual activity, or delayed the initiation of sexual activity. Clinic based prevention programs, including even brief "risk-reduction messages," have been shown in some studies to substantially increase condom use.

"A Call to Arms" also includes alarming statistics outlining the levels of sexually transmitted diseases, HIV/AIDS infection, unintended pregnancy, abortion, sexual dysfunction, and sexual violence. When there are an estimated 12 million Americans becoming infected with STDs annually, the use of the Department of Health and Human Service's report

to discourage safe-sex education seems especially irresponsible. Edward W. Hook, one of the 28 panel members, commented: "People are turning around the findings to say that to promote condoms is incorrect. I think that's a very, very dangerous thing to do. I would not want it on my conscience if somebody were to read some of those statements, decide not to use condoms when they were having sex, and acquire a disease that could change their entire life, much less end it."

The Department of Health and Human Service's workshop found that while condoms have been proven effective in preventing the transmission of HIV and male gonorrhea, research has yet to show definitive proof as to whether they also prevent the transmission of syphilis, herpes, chlamydia, and HPV. A response from Family Health International president Willard Cates stressed that the lack of definitive data on condoms' effectiveness in preventing certain STDs "does not mean that they are ineffective against those diseases." Cates pointed out that viruses are unable to pass through latex condoms.

## Centuries After Tea Party, Boston Majority Still Lacks Representation

In Massachusetts, voters of the Ninth Congressional District went to the polls on October 16 for a special election. This district has been represented by Joe Moakley until his untimely death earlier this year created a vacancy in the heavily Democratic district. Moakley was often described as a populist even though he had a mixed record on choice.

As reported in the Boston Herald, the National Abortion Rights Action League backed contender Cheryl Jacques of Needham in the primary, but she was defeated by conservative Democrat Stephen F. Lynch of South Boston.

NARAL backed the Republican, JoAnn Sprague of Walpole, in the general election. NARAL Political Director Monica Mills admitted that the district is always a tough one for a Republican. Mills praised Sprague for bucking the national Republican Party on the choice issue, and said she would "like to endorse more pro-choice Republicans." A spokesperson for Lynch said he was not surprised by NARAL's position in the race.

Look for an update on this race in the spring issue of *ProChoice*.

**Don't forget  
to save  
the Voting Guide  
for Nov. 6.**

# Abortion: An Historical Perspective

George Santayana tells us, "Those who do not remember the past are condemned to repeat it." Since many anti-choice zealots (and indeed, unfortunately, all too many pro-choice individuals as well) labor under the mistaken impression that the controversy surrounding abortion is a unique by-product of the technological age, a brief review of the history of abortion in antiquity may prove enlightening.

To be sure, the earliest expression of women's control over reproduction was not so much abortion as infanticide. Recent excavations at the site of the ancient middle-eastern city of Ashkelon, for example, revealed dozens of newborn infant skeletons found in a sewer behind a brothel. That this find is mute testimony to ancient women's having made difficult and painful choices is clear. That those choices were the product of a terrible economic and societal necessity can also readily be inferred.

In ancient Greece (in the 3rd and 4th century B.C.), infanticide committed by exposing unwanted newborns to the elements was a common method of birth control, though history teaches that the choice here was seldom that of the woman. By way of example, in a papyrus fragment recovered from a trash heap in Egypt dating back to the 2nd century B.C., a well-to-do Greek merchant wrote to his wife while he was away on business, "If the child you are carrying turns out to be a son, call him Hephæstion; if it is a girl, expose it."

Early Greek commentators in the ancient city-state of Sparta also report that all newborn infants were required to spend their first night out of doors. Undoubtedly, this must have resulted in the deaths of countless children, while the intent of the practice was obviously to restrict access to the limited resources of the community to those physically capable of survival in what was then an incredibly harsh world. While we may well consider these ancient customs barbarous from our modern perspective, they were evidence of deliberate reproductive choice.

In the 1st century B.C., Rome carried on this practice of infanticide, though the "choice" here was exercised almost exclusively by men. Under the rigorously patriarchal society of the Roman Republic, the male head of household had the unfettered power of life and death over all members of his household. During this period, in addition to infanticide, a crude form of "abortion on demand" was utilized whereby men frequently threw pregnant slave women or concubines down flights of stairs in order to induce abortions.

Paradoxically, the world of ancient Greece, which accepted infanticide without much apparent reservation, provided a philosophical foundation and framework for defining the inception of human life. The philosopher Aristotle developed a rough "trimester" system of analyzing the development of the human fetus: he saw the first third of the human gestation period as one in which the fetus was essentially a parasitic organism that fed off the woman's body.

In the middle third of development, the fetus was likened

to an animal: alive and sentient, but without intellect or soul. Only in the final third state of development did Aristotle see the fetus as being imbued with what the Greeks called "psyche, best translated as "spirit." This Aristotelian trimester system lives on to this very day, forming the core of the Supreme Court's analysis in *Roe v Wade*.

If we fast-forward to 1968, we can read in Pope Paul VI's encyclical "Humanae Vitae" an implicit and sudden rejection of Aristotelian thinking which had existed and had been accepted virtually unchanged for over two thousand years. While this encyclical was aimed at clarifying the Church's position on the (relatively) recent innovation of artificial contraception, it explicitly referred also to abortion. Since the Pope found doctrinally unacceptable the notion of human choice and action interfering with the biological mechanism of conception, his logic mandated a similar condemnation of abortion. Having started with the premise that contraception (other than through the so-called "rhythm method") violated natural and hence ecclesiastical law, then all forms of abortion, regardless of the circumstances, also violated Church precepts.

Unfortunately, "Humanae Vitae" resulted in the unceremonious sweeping away of centuries of accepted philosophical thought. If human life is not seen to begin until some latter part of fetal development, as in the Aristotelian model, then a woman's decision to use contraception or to choose an abortion prior to the third trimester cannot be linked to the destruction of life. But the Pope's goal in the encyclical was to deter women from exercising conscious control over their reproductive systems: if Western philosophy needed to be re-written to achieve that end, then so be it.

So what can women of today learn from this historical lesson? First, that conscious and deliberate choice over reproduction has been a part of human history as far back as archaeologists can delve; next, that the philosophical underpinnings of modern reproductive rights are far older than the repressive and retrograde religious dogma of the late 20th century; and finally, that only the methods of choice, and not the goals, aspirations, or desires of civilized women, are the true modern innovations.

## Indiana University Is Forced to Miseducate Its Students

The so-called Center for Bio-Ethical Reform has apparently won its fight to foist its campaign of misinformation upon the students of Indiana University.

The University, faced with a lawsuit from the virulently anti-abortion organization, capitulated to their demands to mount an "an exhibit of bloody pictures of fetuses" on the university campus.

The founder of the Center has also threatened to make the university "pay for its recalcitrance."

# Fr. Pavone Leaves from Priests for Life

Catholic Cardinal Egan of New York has removed Fr. Frank Pavone from his position as National Director of Priests for Life.

Pavone, who has focused on Priests for Life for the past eight years, must now resume full-time work as a parish priest within the Archdiocese of New York.

Anthony DeStefano, who has assumed the leadership job at Priests for Life, expressed "shock" at Pavone's sudden separation from the organization, but he vowed to pursue "the detailed plans that were formulated by Fr. Pavone...to the letter."

DeStefano said that Pavone was actively appealing the Cardinal's order through every possible channel. As of press time, the organization's website still failed to acknowledge that Pavone had been obligated to step down.

As head of Priests for Life, a position to which he was appointed by Egan's predecessor, Cardinal O'Connor, Pavone was an outspoken leader of the anti-abortion ("pro-life") movement. Priests for Life flourished under him, but came under increasing criticism for its aggressive tactics against advocates for reproductive rights.

A detailed expose, "Taking on Priests for Life," by New York State Senator Eric Schneiderman appeared in the last issue of *ProChoice* and is available online at <http://wcla.org/01-summer/pfl.html>.

## Senator Phil Gramm rides into the sunset

Republican Senator Phil Gramm of Texas announced he will not seek re-election next year. Both Democrats and Republicans were caught off-guard by his decision.

The GOP has reason to anticipate this Senate seat will remain on their side of the aisle. Texas, home to George W. Bush, has become increasingly Republican in recent years.

Gramm, in announcing his retirement, said he would have run for re-election if Al Gore had won the presidency.

Democrats are hoping to increase their majority in the Senate. With Gramm's announcement, three senior Senate Republicans are not standing for re-election next year. The other two Senators are: Jesse Helms of North Carolina and Strom Thurmond of South Carolina. While there was speculation that Senator Fred D. Thompson (R-TN) would not run again, all rumors ceased when Thompson said that due to the horrific September 11 attacks, he belonged in the Senate.

Senator Phil Gramm will not be missed by pro-choice advocates. He consistently voted against reproductive rights.

## Baby Rattles Will Not Do It

What a sad and bitter irony! A coalition of right wing Christian religious groups launched their newest anti-abortion campaign to "Shake the Nation Back to Life" just hours before the September 11 terrorist attack on Washington and New York.

The anti-abortion crowd was seeking a catchy symbolic way to bring their message home to Congress. A series of TV ads was supposed to inspire Americans to buy baby rattles which would be sent to their U.S. Senators. The implicit message was to encourage these elected officials to help the President fill any Supreme Court vacancy with an opponent of abortion rights.

Pursuant to the tragic loss of life in Washington, Pennsylvania and New York on September 11, the "Shake the Nation" campaign organizers recognized the insignificance of their small-minded anti-choice effort. They announced the postponement of the rattle delivery "until further notice."

Most New Yorkers seem to have more significant matters on their minds. According to the campaign's website, [www.shakethenation.org](http://www.shakethenation.org), only 458 rattles had been sold as of September 17 in all of New York state. Still that's a lot more than in Vermont, where only two have been ordered.

---

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# On the President's Mind II: Retirement

By Polly Rothstein

I have decided to retire as president of Westchester Coalition for Legal Abortion. There is no better place for me to announce this than in ProChoice, the forum I've used to express my opinions for so many years.

As I worked on my column for page two, I was deep in the decision-making process. As the deadline closed in, I knew that I'd retire, but something held me back from telling the board of directors and including it in my column. A few days later, I told the board; just in time to tell you before this issue was put to bed.

Here's the letter that I sent to the board. It's simple and unsentimental, touching on the points I'd make if we were speaking to each other.

Dear Catherine and board of WCLA,

On October 27th, at my 65th birthday party, I shall announce my retirement as president of Westchester Coalition for Legal Abortion.

This milestone birthday, with family, friends, contributors, and politicians present, is the optimal time for me to do this. I've been thinking about it for a long time and I am emotionally prepared to take this step.

There's always a difficult adjustment period when the head of an organization leaves. I am confident that the board and staff will ably promote the goals and purposes that the founders of WCLA, myself included, articulated in 1972, and have not changed. I am also confident that those in charge will maintain WCLA's reputation for excellence.

I have nearly four decades of experience in the politics of

abortion, plus a massive store of the history of reproductive rights, institutional history, and other information in my head. I offer you my help, advice, and knowledge, and hope that you will take full advantage of me as a resource.

I'm relieved that the decision to leave WCLA has been made and I've told you about it. I wish you all well and hope that you have as much fun as I have, and learn by doing, as I did.

Fondly,  
Polly

I'm happy that my 65th birthday party will also be a celebration of my retirement. Isn't that efficient and cost-effective?

I certainly never dreamed that anyone would want to have such festivities in my honor. I'm quite bowled over.

**Please join WCLA as we salute our fearless leader, Polly Rothstein, as she turns 65 and announces her retirement.**

- Saturday, Oct. 27
- Rye Town Hilton, 7 p.m. cocktails
- 8 p.m. dinner, special guests, merriment.

For last-minute reservations, call WCLA at 946-5363. \$175 per person, with special arrangements available.

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