

Alabama legislation could limit abortion access in state

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The Associated Press

Published May 5, 2016

MONTGOMERY, Ala. (AP) - Alabama Gov. Robert Bentley has until May 14 to decide on legislation that could shutter two of the state's largest abortion providers.

The Republican-held House of Representatives on Wednesday passed a bill to deny licenses to clinics within 2,000 feet of K-8 public schools, in addition to legislation banning a commonly used second trimester abortion procedure.

The House passed the bills on the final night of the legislative session against staunch objections from several Democrats.

The governor's office on Thursday said Bentley was reviewing the legislation but had no further comment.

The first bill prohibits the Department of Public Health from issuing or renewing licenses for clinics within 2,000 feet of any K-8 public school. Proponents of the legislation say it would shield school children from anti-abortion protests outside of clinics, while opponents say it's simply a "new tool" in an effort to ban abortion outright.

"I don't feel like these types of facilities need to be anywhere near our children," said Republican Rep. Ed Henry, who sponsored the legislation.

The legislation would shutter a Huntsville facility that has already been forced to close and move to its current location in 2013 to comply with new facility restrictions on abortion providers. A Tuscaloosa clinic, which is over a mile away from the nearest school by road way but backs up to a magnet school, could also be affected.

The American Civil Liberties Union has vowed to fight both laws in court.

Andrew Beck, an ACLU lawyer, called it the "height of hypocrisy" that anti-abortion activists who pushed the proximity bill are among the very protesters that the legislation is supposed to prevent the children from seeing.

"The Ku Klux Klan is not allowed to protest outside a synagogue and the more disruptive they get, they get to close down the synagogue," Beck said. "That's not how constitutional rights work."

Beck said the remaining three clinics in Birmingham, Montgomery and Mobile lack the capacity to handle the state's patient load if the two close.

According to Alabama Department of Public Health data, the two clinics performed 5,833 procedures in 2014, 72 percent of all abortions in the state.

Democratic Rep. Laura Hall, D-Huntsville, said she was "disturbed" that the Huntsville clinic moved in compliance with existing law and now faces closure again.

"It disturbs me that a person has tried to abide by the law, and still gets penalized," Hall said. "It is unfair for an individual to meet the demands of a law that we passed and when they moved, we create another law to put them basically out of business."

A second bill bans a second trimester abortion procedure called dilation and evacuation, or D&E.

Supporters of the bill call D&E "dismemberment abortion" and compare it to medieval forms of torture.

The American Congress of Obstetricians and Gynecologists says D&Es, or surgical abortions, have lower complication rates than abortions induced by medication. The ACOG defines second-trimester as after 13 weeks of pregnancy. According to ADPH data, 86 percent of Alabama abortions occur before the 11th week of pregnancy.

The bill doesn't criminalize mothers but performing physicians would be criminally liable. The procedure would still be allowed in the event of a "serious health risk" to the mother.

"These laws are about eliminating access to abortion," Beck said. "These laws put women's well-being in jeopardy."

Though several legislators said they would do away with abortion entirely if given the choice, many proponents of the legislation say the bills protect women and children.

"I would prefer we announce to the world that Alabama believes life begins at the moment of conception, and we could end all abortion," Sen. Phil Williams, who sponsored the D&E ban legislation, said last week. "This bill doesn't do that."

Tempers flared on the House floor Wednesday night, as several Democrats said they personally disagree with abortion but believe the procedure should be a private decision between a woman and her doctor. Members of the House Black Caucus protested after Republicans repeatedly voted to close debate on the abortion bills and other legislation. Democrats called the lack of debate "undemocratic."

"You have no right to continue to cut out debate," Democratic Rep. Mary Moore said. "That's what the process is all about. That's what makes democracy different than dictatorships."