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Strategies to Strengthening Abortion Protections in State Legislatures: An Investigation into the Passage of Illinois House Bill 40

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Table of Contents

I. Abstract……..3

II. Introduction……...……..…….……4

III. Influences on the Passage of Legislation……...…….……6

A. United vs. Divided Government……..……..…….…….7

B. Electoral Considerations in the Passage of Public Policy…….……...……8

C. On Passing "Good Public Policy"……...……...……10

D. Interest Groups and Coalitions in the Political Process ……..……..……11

1. PAC Donations……..……..……...……12

2. Coalition Organizing……..……..……..……12

IV. The Passage of Abortion Legislation…….……...…….14

V. Key Players in the Passage of State Legislation……...……20

VI. Methodology……..……21

A. Data Collection……..……...…….21

B. Data Analysis……..……..…….23

VII. Findings…….……....……....24

A. The Passage of Illinois House Bill 40…..…….……..……24

1. The Election of Donald Trump: A Window of Opportunity.…..……25

2. Personal PAC and Electing a Pro-Choice Base in Illinois…….……27

3. Coalitional Cohesion and Strategy……..30

B. The Passage of Abortion Legislation Beyond HB 40……....39

1. Legislative Momentum……..…….……..…….39

2. Diversity in Coalitions……..……...……..40

3. Diversity in State Legislatures……..……..……..…….41

VIII. Recommendations…….……44

A. Take Action in Windows of Opportunity……...……45

B. Elect a Diverse Base of Pro-Choice Legislators……...……46

C. Develop a Diverse and Cohesive Coalition……...……48

IX. Conclusion……..……...49

X. Appendices……..…….……..51

A. Appendix A: Catholic Vote Share by Party in Presidential Elections…….……..51

B. Appendix B: Interview Participants…...……..……..52

C. Appendix C: Interview Protocols……...……..……...56

D. Appendix D: Information Sheet on HB 40…....…….……57

E. Appendix E: HB 40 Interviews Codebook Pie Charts…….……58

F. Appendix F: HB 40 Interviews Codebook Breakdowns....…….……59

G. Appendix G: General Interviews Codebook Pie Chart……...……...60

H. Appendix H: General Interviews Codebook Breakdown……..……61

I. Appendix I: Signs from the 2017 Women's March of Chicago…….……62

J. Appendix J: Rauner's 2014 Personal PAC Questionnaire Responses…….....…63

K. Appendix K: April 2017 Personal PAC Press Release…..……...……69

L. Appendix L: Coalition Fact Sheet for IL HB 40…….....……72

M. Appendix M: Calls to Action for HB 40 on CallBullshitIllinois.org…….....…74

XI. Works Cited……..……...……..75

Abstract

Through an investigation into the passage of Illinois House Bill 40 in 2017, this study seeks to identify best practices to passing pro-choice legislation in state legislatures. By analyzing 39 interviews with key actors on the legislative process of HB 40, I find that three key factors contributed to the passage of HB 40: (1) the election of Donald Trump in 2016, (2) the election of pro-choice legislators and a pro-choice base in Illinois, and (3) coalitional cohesion and strategy. Considering those factors as well as evidence from 14 interviews with actors involved in abortion policy beyond HB 40, I suggest three key strategies for policy advocates to pass pro-choice abortion legislation in state legislatures: (1) take action in windows of opportunity, (2) elect a diverse base of pro-choice legislators, and (3) develop a diverse and cohesive coalition. Depending on partisan control and available resources, policy advocates may modify these strategies to maximize legislative impact. Overall, the findings of this study suggest that further academic research is necessary to evaluate the impact of coalitional and politician diversity on the political process.

Introduction

The election of Republican President Donald Trump in 2016 and the confirmation of conservative Brett Kavanaugh to the Supreme Court in 2018 have put federal rights to abortion under threat in the United States. Contemporary challenges to abortion laws by Republicans in appellate and state courts across the US could lead the US Supreme Court to revoke federal rights to abortion established in *Roe v. Wade* in 1973. Currently, 18 states have laws on the books, known as "trigger" laws, that would restrict state access to abortion if *Roe* is overturned (Guttmacher Institute, 2019). With the threat to federal abortion rights, pro-choice policy at the state level has become an increasingly salient political issue. In order to maintain access to abortion if *Roe* is overturned, reproductive rights advocates must strengthen state-level abortion protections by passing pro-choice policy in their respective state legislatures.

Compared to many Midwestern states that have tightened abortion restrictions since 2016, Illinois has strengthened its abortion protections, becoming an oasis for abortion care in the region[1]. Preceding the inauguration of pro-life candidate Donald Trump into presidential office on January 20th, 2017, Illinois State Representative Sara Feigenholtz (D-Chicago) introduced Illinois House Bill 40–also known as HB 40–to the Illinois General Assembly on January 11th, 2017 (BeMiller, 2017). HB 40 would serve to defend a person's right to choose in Illinois by striking a "trigger" law that rendered abortion illegal in Illinois if *Roe v. Wade* was overturned. Additionally, HB 40 would expand Medicaid and state employee health insurance to cover all abortion care–not just those in cases of rape or incest–in Illinois.

[1]Although abortion law has remained "largely unchanged" in Wisconsin, Minnesota, Nebraska, and Kansas, most Midwestern states have tightened abortion restrictions since 2016, including Indiana, Ohio, Michigan, Missouri, South Dakota, North Dakota, and Iowa (Dampier & Yoder, 2019). As such, the number of people crossing the Illinois border to obtain abortion care has increased since 2016 (Lourgos, 2018).

The case of HB 40 is particularly interesting because former Illinois Governor Bruce Rauner first pledged to veto the legislation in April of 2017 but then signed it into law in September of 2017 (Sepeda-Miller, 2017). As a Republican facing a challenge to his reelection in 2018, Rauner publicly supported "protecting women's reproductive rights under current Illinois law," but cited "sharp divisions of opinion of taxpayer funding of abortion" to explain his opposition to the bill (Sepeda-Miller, 2017). In a power struggle to retain his base of Republican voters while attempting to placate liberal constituents in a primarily Democratic state, Rauner struggled to take a firm stance on the bill, pressing his staff to hold the legislation off of his desk for as long as possible (One Illinois, 2018). Nevertheless, the Illinois House passed HB 40 by a vote of 62-55 in April and the Illinois Senate passed HB 40 by a vote of 33-22 in May of 2017, forcing Rauner to make a final and public decision to sign HB 40 before the 2018 midterm election.

With the threat to federal abortion rights in the United States, it is crucial that research be conducted to determine best practices to passing pro-choice policy in state legislatures. In order to understand the factors contributing to the passage of pro-choice legislation in state legislatures, I first assess current academic literature to determine how this investigation into the passage of HB 40 will both fit into and expand on current scholarship regarding united versus divided government, electoral considerations, and coalition organizing in state policymaking. I then evaluate existing literature on US abortion politics to find that while current research explains the emergence of abortion as a partisan wedge issue and illustrates the downsides to fractionalization in coalition organizing, there exists no research that explicitly explores how abortion policy, and pro-choice policy in particular, is passed at the state level.

Through the analysis of 39 interviews with key players both in support of and in opposition to HB 40, I identify three key factors contributing to the passage of HB 40: (1) the election of Donald Trump in 2016, (2) the election of pro-choice legislators and a pro-choice base in Illinois, and (3) coalitional cohesion and strategy. Considering the factors influencing the passage of HB 40 and evidence from 14 interviews with actors involved in abortion policy beyond HB 40, I suggest three strategies to passing pro-choice abortion legislation at the state level: (1) take action in windows of opportunity, (2) elect a diverse base of pro-choice legislators, and (3) develop a diverse and cohesive coalition.

While the success of these suggested strategies will vary from state to state based on resources and the partisan makeup of the legislature, there exist opportunities to pass pro-choice abortion legislation in states with Democratic or split control of the state government, including Virginia, Maine, Vermont, Rhode Island, Alaska, Minnesota, Colorado, New Mexico, and New York. Although passing pro-choice policy may not be immediately feasible in states with Republican control of the legislature, pro-choice advocates may work towards electing a diverse base of pro-choice legislators by creating state-specific organizations solely dedicated to fundraising for and electing pro-choice politicians to state office.

Influences on the Passage of Legislation

In order to investigate the key factors that contribute to the passage of pro-choice abortion legislation in state legislatures, it is important to first evaluate the academic literature regarding the general factors that influence the passage of legislation. If it all comes down to votes on legislation, what may impact how those votes are cast? Or, what may impact whether or not legislation is called to a vote at all?

Current scholarship regarding the policymaking process mainly focuses on the influence of united versus divided government, electoral considerations, and coalition organizing on the passage of legislation. In 2017, Illinois had a divided government, upcoming elections, and a robust pro-choice organizing coalition, making HB 40 a useful case to analyze the best practices to passing pro-choice legislation in state legislatures. In this section, I provide an overview of current scholarship regarding the passage of legislation in the United States and identify how my analysis on HB 40 will fit into and expand on present discourse regarding state-level policymaking.

United vs. Divided Government

On the national level, scholars often consider united versus divided government as a key factor that contributes to whether or not policy is passed. Kernell (1991) finds that divided government, as a result of institutional conflict, slows down the legislative process and results in weaker policy than initially introduced. Building on Kernell's (1991) work, Edwards et al. (1997) find that federal legislation fails more often in divided rather than united government. Additionally, according to Edwards et al. (1997), presidents oppose "significant" legislation[2] more frequently in divided government.

While the work of Kernell (1991) and Edwards et al. (1997) focus primarily on the passage of federal policy, it is possible that their conclusions can be considered in the context of state-level policymaking. Similar to Edwards et al.'s (1997) work on the effects of a divided government on the president's ability to pass legislation, Clarke (1998) finds that "successful opposition to the governor, it seems, depends on controlling both chambers of the legislature."

[2] In their paper, Edwards et al. (1997) utilize Kernell's (1991) definition of "significant" legislation as "innovative and consequential."

Additionally, Alt and Lowry (1994) find that divided party control in state legislatures makes state governments less effective at passing legislation in response to revenue shocks. In Alt and Lowry's (2000) later work, they also conclude that united state governments simply respond faster to budgetary concerns than divided state governments.

There is scant academic work that addresses the impact of united versus divided government on policymaking outside of the budgetary realm. By investigating the key factors that contribute to the passage of pro-choice legislation in state government, this paper advances understandings of united and divided government in the passage of state legislation in the US.

Electoral Considerations in the Passage of Public Policy

Each year, thousands of pieces of legislation are introduced in state legislative sessions that never make it beyond committee or are never called to a vote on the floor. When a bill is called for a vote, whether or not that policy becomes law depends on whether the legislature has enough votes to pass it and whether the governor is willing to sign it. Accordingly, the timeline from when a policy is first written to when it is actually passed can take from weeks to years to decades. With a defined length of legislative session, time is a scarce resource and politicians must prioritize what legislation is passed. It is therefore important to understand when and why certain legislators support or actively fight for a piece of legislation.

According to Mayhew (1974), congressmen are "single-minded seekers of reelection" who decide whether or not to publicly support legislation based on how doing so would impact their chances for reelection. Because legislators may be unsure about how voters in their district feel about an issue, Mayhew (1974) writes that "the best position-taking strategy for most congressmen at most times is to be conservative–to cling to their own positions of the past where

possible and to reach for new ones with great caution where necessary." Mayhew's (1974) argument on politicians exercising caution in taking policy positions beyond the status quo makes sense. Politicians often do not have complete information on the policy preferences of all of the constituents in their districts. Often equipped with biased polling numbers or no polling numbers at all, congressmen may fear taking strong stances on policies that they are not sure their districts support. Especially in competitive congressional districts, congressmen may avoid taking firm public stances on controversial policies for fear of losing or alienating centrist voters[3] (Black, 1948; Hotelling, 1929).

Mayhew's (1974) theory focused on "single-minded seekers of reelection" in Congress is applicable to elected officials on the state level (Schlesinger, 1994). Interestingly, however, state-level research expands on Mayhew's (1974) theory by finding that governors' reelection interests go beyond their own races. Morehouse (1996) finds that "the governor receives greater legislative support following a strong electoral showing in the districts of legislators." Additionally, Barrilleaux and Berkman (2003) find that a governor's inclination to move on legislation depends on the state of electoral support for herself and the state legislators in her party. Logically, Barrilleaux and Berkman's (2003) argument makes sense. If a governor wants to push for a policy in her interest, she needs enough votes from state legislators in her party to pass it. If those same state legislators lose their elections from taking that vote in a competitive district, then it will be harder for the governor to push similar legislation if she is able to secure reelection. Without passing policy she promises on the campaign trail, the governor may lose her next election.

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[3] In "Stability in Competition," Hotelling (1929) lays the groundwork to establish the Median Voter Theorem. The Median Voter Theorem, explicitly introduced by Black (1948), formally recognizes the strategy behind supporting centrist rather than more extreme policies in order to capture a majority of the vote share in elections.

Barrilleaux and Berkman's (2003) findings are particularly interesting when considering political contributions by billionaire governors in the state of Illinois. On top of largely funding their own bids for governor, both former Illinois Governor Bruce Rauner and current Illinois Governor JB Pritzker have donated millions of dollars to elect candidates from their party to the Illinois state legislature[4]. Through the Citizens for Rauner PAC, Rauner donated over $16 million to the Illinois Republican Party in 2016 and over $36 million to the Illinois Republican party in 2018 (Miller, 2016). Through the JB for Governor PAC, Pritzker donated $7 million to the Democratic Majority PAC[5] in 2018 and over $8.8 million to Illinois Democratic PACs[6] in 2019. Accordingly, it is particularly important to consider how the upcoming 2018 election may have impacted the passage of Illinois House Bill 40 in 2017.

On Passing "Good Public Policy"

Fenno (1973) provides a broader framework behind the incentives of legislators than Mayhew (1974). According to Fenno (1973), there are three key incentives that influence the political behavior of legislators: fears for reelection, internal power dynamics of the legislature, and hopes to pass "good public policy"[7]. Although Fenno (1973) presents these incentives as three distinct categories, it is useful to consider "good public policy" separate from reelection and internal power dynamics. On the one hand, we can consider reelection and internal power

[4] Illinois political contribution data is publicly available through Illinois Sunshine, a tool used to display data collected by the Illinois State Board of Election. Illinois Sunshine is maintained by Reform for Illinois, a nonpartisan nonprofit organization focused on government transparency in campaign finance.
[5] Illinois Speaker of the House of Representatives Mike Madigan runs the Democratic Majority PAC to elect Democrats to the Illinois State House.
[6] According to Illinois Sunshine (2020a), the JB for Governor PAC donated $2.75 million to the Illinois Democratic Heartland Committee, $2.75 million to the Senate Democratic Victory Fund, and approximately $3.35 million to the Democratic Party of Illinois in 2019.
[7] "Good public policy" is legislation that is in the best interest of the constituents in a congressman's district (Fenno, 1973).

dynamics as self-interested incentives of individual legislators to maintain or expand their own power. On the other hand, we can consider "good public policy" as an unselfish incentive to pass legislation for the sake of district constituents.

Because the assumption of self-interest is central to the field of political economy, it may seem naive to believe that politicians could truly be motivated to pass "good public policy" in the interest of their constituents (Smith, 2009; Bueno de Mesquita, 2017). It is important, however, not to disregard the incentive to pass "good public policy." In the field of behavioral economics, Thaler (2016) finds that humans often make decisions that are not necessarily in their best interest. Influenced by the social factors in the decision making process, politicians may truly act selflessly in some situations to pass "good public policy" for their districts (Thaler, 2016). Despite the Republican party's opposition to abortion, Republican Governor Bruce Rauner signed HB 40 into law in 2017. As a result, Rauner faced a viable Republican primary challenger in 2018[8]. Accordingly, the investigation into the passage of HB 40 may shed light on the situations in which politicians may support legislation for the sake of passing "good public policy" rather than doing so for the sole purpose of winning reelection.

Interest Groups and Coalitions in the Political Process

When considering the influence of interest groups in legislative processes in the US, academic literature primarily focuses on two factors: political action committee (PAC) donations and coalition organizing in the political process.

[8] When asked why she decided to challenge Governor Rauner, Rep. Ives said, "....He [Rauner] has basically discredited himself as a Republican…. Obviously, the trigger point here for everybody was the signing of a brand new entitlement program when the state is still a fiscal basketcase and technically broke. And, that was the signing of HB 40, which is taxpayer-funded abortion..." (Vinicky & Garcia, 2017).

PAC Donations

With regards to PAC donations, in particular, research yields mixed results. According to Grenzke (1989), PAC donations do not affect the votes of individual Members of the US House. Hall and Wayman (1990), however, find that PAC donations increase politician involvement within a desired policy area. By donating to representatives aligned with their policy preferences, PACs can mobilize politicians to take action in House committees in ways that unorganized voters cannot (Hall & Wayman, 1990).

In state legislatures, interest group money plays a similar role to that in the US House: it has agenda-setting power but does not translate to one-to-one vote conversions (Powell, 2013). For states in particular, however, PAC donations can lead legislators to vote a certain way if a vote is close or is of little political significance (Gordon, 2005). Additionally, the larger and more professionalized the state legislature, the bigger influence PAC money has on legislator behavior (Powell, 2013). Term limits, however, have little impact on how PAC money influences the behavior of state legislators. Because term limits do not prevent state legislators from seeking higher office, Powell (2013) finds that PAC donations are no more influential in states without term limits than states with them. In the case of Illinois House Bill 40, PAC money may be most influential for Democrats in competitive districts where abortion votes may often be a close call.

Coalition Organizing

In the political process, there are often a multitude of interest groups working to pass the same piece of legislation. According to Sabatier (1987), these interest groups unite to act as an "advocacy coalition" when they share a common belief system and work in coordination.

Outlining the Advocacy Coalition Framework (ACF), Sabatier (1987) explains that these "advocacy coalitions" are dominant players in effecting policy change when they work in the same policy area over time. In addition to "advocacy coalitions," the ACF highlights the impact of "stable system parameters"[9] and "external (system) events"[10] on whether a policy is passed (Sabatier, 1988).

Most of the time, according to Baumgartner and Jones (1993), political processes are characterized by stasis and stability. Policy change occurs when windows of opportunity open and policy entrepreneurs[11] in coalitions take action (Kingdon, 1995). According to the Multiple Streams Framework (MSF), windows of opportunity open when three aspects align: when society recognizes a problem, when there exists a policy to solve that problem, and when it is politically feasible to pass such policy (Kingdon, 1995). Because windows of opportunity are often unpredictable and because they close when the three streams are no longer aligned, coalitions must prepare for and act fast to effect policy change during a window of opportunity (Kingdon, 1995).

According to Shanahan et al. (2011) and Kingdon (1995), tight-knit coalitions are most influential in the political process. When coalitions have aligned policy goals and messaging, they have strong "coalitional glue," which builds the stability, strength, and cohesion necessary to present a prepared and united front to legislators (Shanahan et al., 2011). Additionally,

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[9] In the ACF, "stable system parameters" are constitutional and social structures that can limit coalitional strategy and resources (Sabatier, 1991).

[10] In the ACF, "external (system) events" are exogenous to the advocacy coalition in the policy area at hand (Sabatier, 1998). These "external (system) events" can include the passage of legislation in another policy area, socioeconomic shifts, and/or (partisan) changes to the governing body (Sabatier, 1998).

[11] According to Kingdon (1995), policy entrepreneurs are proponents of particular policy solutions. Policy entrepreneurs–such as members of government, interest groups, or research organizations–often advocate for particular policies due to personal benefit, values, or interest in participating in politics (Kingdon, 1995).

coalitional coordination–facilitated by low information costs, repeated interaction, and fair policies–is crucial to building a long-lasting, structured coalition to successfully effect policy change (Schlager, 1995). This coordination in tight-knit coalitions, according to Tarrow (1989) and McAdam (1999), makes it easier for coalitions to mobilize their members during windows of opportunity.

These tight-knit coalitions, however, are not necessarily uniform. While preference diversity may make it harder to initially find an agreed upon path to policy change, it ultimately engenders more representative and therefore more successful policy change (Page, 2008; Kondra & Hinings, 1998; Walker & Stepick, 2014). Considerations of coalitional diversity, however, are largely neglected in the Advocacy Coalition Framework and the Multiple Streams Framework. By analyzing the influence of the Illinois Reproductive Rights Coalition in the passage of Illinois House Bill 40, this study expands on the ACF and MSF in order to understand the influence of coalitions and coalitional diversity in state-level policymaking.

The Passage of Abortion Legislation

In the preceding section, I provide an overview of the academic literature regarding the passage of legislation on both the national and state level. Because the aim of this study is to develop a framework of best strategies to passing pro-choice abortion legislation in particular, I use this section to assess literature regarding the passage of abortion legislation in the US.

In 2019, 75% of Republicans considered themselves to be pro-life while 68% of Democrats considered themselves to be pro-choice (Gallup, 2019). Currently, the Republican Party takes a formal pro-life stance. The Republican National Committee, in particular, is “proud to stand up for the rights of the unborn and believe[s] all Americans have an unalienable right to

life as stated in The Declaration of Independence" (GOP, 2020). The Democratic Party, on the other hand, officially stands as the party for reproductive justice. According to the Democratic National Committee, the Democratic Party "[believes] unequivocally....that every woman should have access to quality reproductive health care services, including safe and legal abortion" (The Democratic Platform Committee, 2016). Despite the clear party line divide on abortion politics today, however, abortion has not always been a party line issue in the US.

With a strong Protestant base in the electorate prior to the 1970s, Republicans pressed matters of women's rights in state legislatures across the country (Williams, 2011). The Republican Party was the first to support the Equal Rights Amendment, and Republican politicians fought Catholic clergy to expand access to contraception. Most notably, the Republican Party even championed the liberalization of abortion laws in state legislatures. In stark contrast to the Republican Party, Democrats had to be particularly careful to take stances on abortion prior to the 1970s. In line with Mayhew's (1974) theory considering legislators as "single-minded seekers of reelection," Democratic state legislators choose whether to support the liberalization of abortion laws based on whether doing so would lead to devastating electoral blows by state Catholics (Williams, 2011). Democrats in North Carolina, a state without a Catholic stronghold, passed legislation relaxing restrictions to abortion in the state. In states like Illinois with strong Catholic bases, however, Democrats voted to tighten state abortion restrictions.

With the election of President Richard Nixon (R) into executive office in 1968, it became clear to political strategists that the Catholic voting bloc fell to Democrats. While Vice President Hubert Humphrey (D) took 59% of the Catholic vote in the 1968 general election, Nixon took

33%. Tasked with crafting campaign strategy for Nixon's reelection in the South, Republican strategist Harry Dent saw abortion as an issue that could realign the Catholic Southern Democrats to the Republican Party[12] (Williams, 2011). Fearing the loss of centrist votes in the 1972 election, Nixon initially held off on pursuing Dent's strategy and even advised fellow Republicans to avoid public discourse on abortion in order to ensure reelection (Williams, 2011).

When Democratic Senator Edmund Muskie–a contender for the 1972 Democratic nomination–publicly attacked abortion in 1971, however, Nixon publicly denounced abortion (Reston, 1971). According to Williams (2011) and Greenhouse and Siegel (2012), Nixon's decision to oppose abortion was a matter of pure political calculation. In addition to preventing Muskie from poaching socially conservative Republican voters, Nixon knew his decision to publicly oppose abortion could capture votes from the Democratic Catholic voting bloc (Williams, 2011; Greenhouse & Siegel, 2012). Despite White House aide Charles Colson's public insistence that Nixon "[opposed] abortion as a moral issue," tapes released in June 2009 confirmed that Nixon supported abortion in certain instances, including cases of interracial pregnancy and sexual assault (Williams, 2011; Savage, 2009). Using abortion solely as a political tool for reelection in 1972, Nixon clearly demonstrates Mayhew's (1974) theory in practice that politicians take positions as a means to yield returns in upcoming elections. Taking an anti-abortion stance for the first time before his reelection campaign in 1972, Nixon's Catholic vote share increased by 19 points from 33% in 1968 to 52% in 1972 (see Appendix A).

[12] *The Emerging Republican Majority* influenced Harry Dent to leverage abortion to garner Catholic support for Nixon's reelection (Williams, 2011). *The Emerging Republican Majority*, by Kevin Phillips (1969), outlines how Nixon won presidential office in 1968. In the text, Phillips (1969) reveals potential right-wing coalition building opportunities the Republican Party could leverage to maintain dominance in American electoral politics.

In 1972, Nixon became the first Republican to win a majority of the Catholic vote in a presidential election.

Before *Roe v. Wade* in 1973, Republicans predominantly used abortion as a top-down strategy to solidify the party's new voting bloc. With Nixon's success in taking an anti-abortion stance on the campaign, Republican strategists pressed congressional candidates to publicly denounce abortion and appeal to Evangelical voters (North, 2019). This top-down strategy of leaning into the divide of public opinion on abortion, however, had implications for the pro-life grassroots movement. As Republicans met with predominant figures in the Evangelical church, the number of Southern Baptist ministers who identified as Republicans increased by 58% (Maxwell & Shields, 2019). When Evangelical leaders increasingly encouraged voting in their religious networks, Evangelical voter turnout increased from 34% in 1964 to 73% in 1988 (Maxwell & Shields, 2019).

By the time the Supreme Court decided *Roe v. Wade* in 1973, "politicians lost interest in abortion" with the distraction of the Watergate scandal in 1972 (Williams, 2011). The pro-life grassroots movement, however, surged (Diamond, 1995). According to Carol Tobias, the president of the National Right to Life Committee (NRLC), *Roe* "helped to galvanize pro-lifers" (North, 2019). Determined to mobilize a broad base to fight abortion, the NRLC, initially a predominantly Catholic organization, officially became a secular organization in 1973 (Williams, 2011; Rohlinger, 2015). That same year, the NRLC held its first convention in Detroit. Additionally, activist Phyllis Schlafly expanded the scope of her STOP-ERA grassroots campaign to fight abortion, creating a task force of religious women opposed abortion in the US (Williams, 2011). A result of their grassroots pressure, the pro-life movement successfully

passed restrictive abortion legislation in various states across the US, illustrating the burgeoning strength of grassroots organizations in a political domain initially characterized by top-down Republican strategy.

Why was the pro-life movement so successful after *Roe*? In line with Kingdon's (1995) Multiple Streams Framework and Shanahan et al.'s (2011) findings, Rohlinger (2015) finds that the pro-life movement was more organized than the pro-choice movement at the state level. While the NRLC worked to reach consensus when there was conflict within the pro-life movement, ideological conflict and uncoordinated goals divided the pro-choice movement (Rohlinger, 2015; Staggenborg, 1986). From the Republican capture of the Christian Right, the pro-life movement was given an organizational advantage: "stability, endurance, and effectiveness… [from] political legitimacy and access it had not enjoyed previously" (Rose, 2007). With the organizational cohesion and policy coordination that Kingdon (1995) and Shanahan et al. (2011) find conducive to passing legislation, the pro-life movement succeeded at tightening abortion restrictions. Without such cohesion within the pro-choice movement, pro-choice advocates struggled to pass proactive pro-choice legislation and stop pro-life legislation at the state level in the early 1970s.

After *Roe*, pro-choice organizations recognized that internal divisions stifled their lobbying efforts (Staggenborg, 1988). By formalizing their operating structures after 1973, pro-choice organizations like NARAL built the capacity for legislative advocacy that the pro-life movement already had[13] (Staggenborg, 1988). With the capacity for organized advocacy, the

[13] A formalized organization is characterized by "established procedures or structures that enable them to perform certain tasks routinely and to continue to function with changes in leadership. Formalized [organizations] have bureaucratic procedures for decision making, a developed division of labor with positions for various functions, explicit criteria for membership, and rules governing subunits..." (Staggenborg, 1988).

pro-choice movement also needed a threat or crisis–like that of *Roe v. Wad*e for the pro-life movement–to encourage cooperation within the coalition (Staggenborg, 1988). In 1976, the passage of the Hyde Amendment–banning federal funding of abortion–pushed the pro-choice movement to coordinate as the kind of tight-knit coalition Kindon (1995) describes, rendering it a formidable opponent to the pro-life movement in the legislative arena (Staggenborg, 1986; Kingdon, 1995).

Forty-seven years after *Roe*, abortion remains a salient political issue on both the national and state level in the United States. Current academic literature clearly identifies abortion as a tool used for reelection by politicians like Mayhew's (1974) "single-minded seekers of reelection." It also provides a useful framework for understanding how coalitions effectively mobilize for and against abortion legislation. Aligned with the emphasis that the MSF places on coalition cohesion and action during a window of opportunity, abortion coalitions are most effective when they (1) build formalized organizational structures and (2) mobilize around a threat that encourages coordinated action.

While current research provides a useful starting point to understanding the role of abortion in American politics, there exists no academic literature that explicitly explores how abortion policy, and particularly pro-choice policy, is passed in state legislatures. By analyzing the policymaking process behind the passage of Illinois House Bill 40 in 2017, my study aims to fill this gap in the literature and identify best practices to passing pro-choice legislation in state legislatures.

Key Players in the Passage of State Legislation

In the policymaking process, Cahn (2012) classifies players as either institutional or non-institutional. Because state government structures often mirror those of the federal governance structures–including the legislative, executive, and judicial branches who may be influenced by outside actors–I adopt Cahn's (2012) institutional and non-institutional framework, with a few adjustments, to classify key players in the state legislative process.

In his framework, Cahn (2012) writes that institutional actors include "Congress, the president, executive agencies, and the courts." In the case of this study, I define institutional players as elected officials or people who work for elected officials in state government. I primarily focus on state legislators and governors as institutional players in the process of passing state legislation. Because court action is often reactionary and taken after the passage of legislation, I do not focus on the courts as a central player to the passage of legislation in this study.

When describing noninstitutional actors, Cahn (2012) includes, "parties, interest groups, political consultants, and the media." When considering noninstitutional actors in this paper, I include an additional category for experts like healthcare providers and researchers who often play a role in whether state legislation is passed by providing testimony or consulting on messaging (Linders, 1998). Additionally, I adjust Cahn's (2012) description of noninstitutional actors by splitting interest groups into two categories: advocacy organizations and grassroots organizations. While both groups have stakes in or incentives around state legislation, advocacy organizations are more involved with long-term strategy, policy writing, and lobbying. Grassroots organizations, on the other hand, often help facilitate the groundwork and

mobilization necessary to pass state legislation. These descriptions, however, are not mutually exclusive. Oftentimes, advocacy and grassroots organizations work together to try to pass legislation, and some people work for both kinds of organizations.

Methodology

Data Collection

In this investigation, I conducted 53 semi-structured interviews with key actors on the passage of abortion policy in state legislatures (see Appendix B). Depending on their background in abortion politics, interviewees answered questions from one of two interview protocols (see Appendix C). If the interviewee was directly involved in the passage of IL HB 40, I used a more specific set of interview questions about the passage of the bill while speaking with them. If the interviewee was knowledgeable about state abortion policy but was not very involved or not at all involved in the passage of HB 40, I asked a more general set of questions about abortion policy in state legislatures. In particular, 39 interviews focus on the passage of HB 40 and 14 interviews focus more generally on the passage of state abortion legislation beyond HB 40. As illustrated below, these actors are split into three categories: (1) members of advocacy and grassroots organizations, (2) persons involved in Illinois government, and (3) experts.

Interview Count by Category

	HB 40 Interviews	General Interviews
Category 1 *Members of Advocacy and Grassroots Organizations*	28	11
Category 2 *Persons Involved in Illinois Government*	6	3
Category 3 *Experts*	5	0
Total	39	14

When reaching out to potential interviewees, I first used convenience sampling within my network of political organizers in Chicago. In communication with the interviewees in my political network, I then used snowball sampling to contact other stakeholders involved in Illinois, Midwest, or national politics. All interviewees received an information sheet about Illinois House Bill 40 before their scheduled interview (see Appendix D). Interviews were approximately 45 minutes in length and were recorded and transcribed for use in data analysis. Additionally, interviews were conducted until the point of theoretical saturation.

While HB 40 was introduced by a pro-choice Democrat, stakeholders across the political spectrum were interviewed for this study. In order to find the most accurate representation of why HB 40 passed, I collected data from players regardless of party. Likely due to the left-leaning nature of HB 40 and the Illinois legislature in 2017, a smaller percentage of pro-life actors responded to requests for interview (approximately 36.36%) than pro-choice actors

(approximately 60%)[14]. Of the 53 interviewees, 45 identify as pro-choice and 8 identify as pro-life (see Appendix B).

Because of my public participation in left-leaning politics, it is important to consider the possible presence of volunteer bias in the data. It is possible that the people who opted into the study may not hold the same views about state abortion policy as the people who denied my interview requests. When reaching out to potential interviewees, however, no stakeholders indicated knowledge of my personal political engagements. Throughout the interview process, all questions were asked without intimating my personal views on abortion. Additionally, all interviewees were given the option to remain anonymous in this study. In providing the opportunity to remain anonymous, stakeholders were able to speak candidly about HB 40 without the risk of political backlash.

Data Analysis

Using the transcripts from the interviews conducted in this study, I analyze the data through a process of qualitative coding. For interviewees focusing on the passage of HB 40, I code for the main contributing factors and roadblocks to the passage of Illinois HB 40 in 2017. For interviewees focusing on abortion policy in state legislatures beyond HB 40, I code for the main contributing factors to the passage of pro-choice abortion policy in state legislatures in general.

Before starting the qualitative coding process, I created a preliminary codebook, based on analysis from the aforementioned academic literature, to identify the key factors to passing pro-choice state legislation. During the qualitative coding process, I edited and expanded the

[14] In this investigation, I contacted approximately 75 pro-choice actors and 22 pro-life actors with requests for interview.

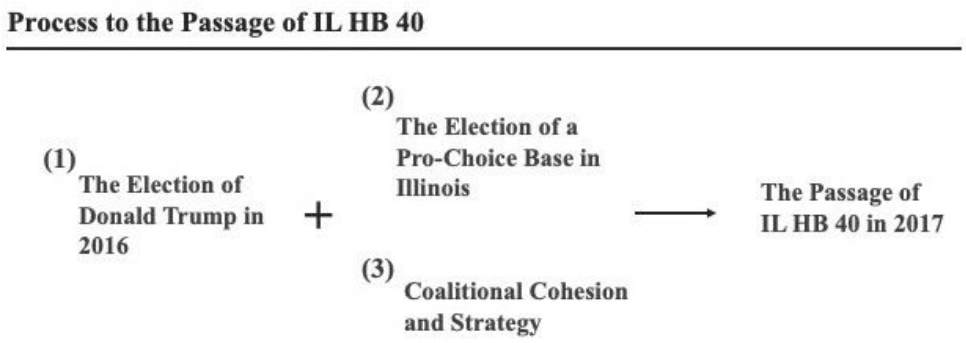
preliminary codebook to account for factors not encompassed by my initial considerations from academic literature. With the data from interviews focusing on HB 40, I aggregated code occurrences across interviewee categories to identify trends as to what factors facilitated and hindered the passage of IL HB 40 (see Appendices E and F). Similarly, I aggregated code occurrences in the general interview data to identify what key factors facilitate the passage of pro-choice policy at the state level in general (see Appendices G and H). By comparing data analysis from both the HB 40-specific and general interviews, I suggest three key strategies to passing state-level pro-choice abortion policy in the future.

Findings

The Passage of Illinois House Bill 40

Over a decade before the passage of IL HB 40 in 2017, Personal PAC, Planned Parenthood of Illinois, and the ACLU of Illinois crafted a comprehensive wish list of pro-choice legislation to pass in the state of Illinois[15]. Once "the plan" failed to pass as an omnibus bill in the Illinois legislature in 2011[16], Personal PAC, Planned Parenthood, and the ACLU worked to pass each provision of "the plan" as a separate piece of legislation. Despite various attempts to expand Illinois Medicaid, the Illinois legislature could not garner enough support for the legislation until it passed as Illinois House Bill 40 in 2017.

[15] The initial wish list for the passage of pro-choice legislation included (i) the elimination of the "trigger law" in Illinois law that would make abortion illegal in Illinois if *Roe v. Wade* was overturned, (ii) the expansion of Illinois Medicaid to cover abortions, (iii) the repeal of the parental notification requirement for abortion, (ix) the enactment of health care right of conscience, and (v) updates to outdated abortion legislation and medical standards.
[16] Introduced by State Representative Barbara Flynn Currie in 2010, The Reproductive Health and Access Act (IL HB 6205) was not called to a vote in the Illinois House and was adjourned indefinitely in January 2011.



In this section, I analyze data from 39 case study specific interviews and show how three key factors contributed to the passage of HB 40: (1) the election of Donald Trump in 2016, (2) the election of pro-choice legislators and a pro-choice base in Illinois, and (3) coalitional cohesion and strategy.

1. The Election of Donald Trump: A Window of Opportunity

On January 11th, 2017, State Representative Sara Feigenholtz introduced HB 40 to the Illinois General Assembly. While legislation regarding Medicaid funding of abortion failed to pass in previous legislative sessions, HB 40 gained traction. When asked why HB 40 passed when it did, 30 of 39 interviewees cited the election of Donald Trump in 2016 as a key impetus.

When the American public elected Donald Trump as president in 2016, panic regarding reproductive rights spread across the state of Illinois. Because Trump publicly opposed abortion throughout his presidential campaign, the incoming administration posed a threat to federal abortion rights established under *Roe* in 1973. On the day after Trump's inauguration on January 20th, 2017, approximately 250,000 people gathered in protest at the Women's March in downtown Chicago (Eldeib & Eltagouri, 2017). Beyond Chicago, thousands gathered in protest in Carbondale, Champaign-Urbana, Elgin, Galesburg, Maryville, Peoria, Rockford, and Springfield. Trump's threat to reproductive rights fueled the Illinois protestors, who carried signs

with messages like "Women's Rights are Human Rights" and "Stop Legislating My Uterus" (see Appendix I).

In their interviews, many leaders from grassroots and advocacy organizations stressed that Trump's federal threat to reproductive rights made abortion, and therefore HB 40, a salient political issue in Illinois. As Claire Shingler, former Executive Director of Women's March Chicago, explained,"[the] fear that federal laws could be changing in the near term… [was] a catalyst to us trying to strengthen state protections." While policy advocates had been discussing Medicaid funding of abortion in Illinois for years prior to 2017, Eileen Dordek–Board Chair of the Personal PAC–explained that the election of Donald Trump illustrated the dire need for such legislation in Illinois: "...[we] had been talking about this [Medicaid funding of abortion] for years, and people were saying, 'Oh, we're fine, we're fine.' And so, this [the election of Donald Trump] was a really huge opportunity...to say, 'We're not fine.'" Lorie Chaiten–the former Director of the Women's and Reproductive Rights Project at the ACLU of Illinois–also highlighted impact of the election of Donald Trump in the passage of HB 40:

> We really got peoples' attention, and it was at a really important time in our country where people were outraged about Trump's election and the things he was doing from day one in the Office of the President. And, I would say we rode the coattails of the resistance to getting this bill passed.

Finally, after a decade of fruitless attempts to pass Medicaid funding of abortion in Illinois, the threat to federal abortion rights with the election of Donald Trump helped policy entrepreneurs harness enough public support to pressure the Illinois legislature to pass HB 40.

As expressed by 25 interviewees, 5 of whom were elected officials at the time, Illinois legislators often need to face this kind of threat to nudge them to take action on abortion legislation. Reflecting on HB 40 and the 2018 Reproductive Health Act, Lauryn Schmelzer–the Chief of Staff to State Representative Ann Williams–explained, "It feels like, often, action isn't taken unless there's a really pertinent deadline or threat to reproductive health care." Because of the controversial nature of the abortion debate, Democrats in competitive districts often avoid taking action on abortion unless prompted by an immediate threat. As such, it is crucial that grassroots and advocacy organizations are prepared to take action once a window of opportunity for political action opens.

2. Personal PAC and Electing a Pro-Choice Base in Illinois

Although the election of Donald Trump in 2016 was a national phenomenon with implications for the accessibility of abortion care across the US, only 21 states successfully passed pro-choice abortion legislation in 2017 (Nash & Gold et al., 2018). When asked why some states were not able to pass pro-choice policy like HB 40 after the 2016 election, most interviewees had a similar response: once a window of opportunity to take action on pro-choice legislation opens, whether or not that policy passes depends on the number of pro-choice votes in the legislature. According to Terry Cosgrove–President and CEO of Personal PAC–Illinois was successful while other states were not because Illinois had previously elected a base of pro-choice politicians to the legislature:

> Everyone's looking for this magic touch. Elections have consequences…. We elected a pro-choice majority to the Illinois General Assembly and….we got HB 40. It's really not

a mystery that if you lose elections to right-wingers, the right-wingers get to make policy. When pro-choice people win elections, we get to make policy.

Founded in 1989, Personal PAC solely works to elect pro-choice legislators to state and local office in Illinois. In the last two decades, largely spearheaded by Cosgrove, Personal PAC has raised over $26 million[17] to build Democratic majorities in the Illinois House and Senate. By spending fundraised dollars on campaign donations, partnerships, social media, television advertisements, direct mail, and phone calls for pro-choice candidates, Personal PAC helped Illinois Democrats gain 11 additional seats in the Senate and 13 additional seats in the House from 1994 to 2016. According to 16 interviewees, these electoral victories ensured that there were enough votes to pass HB 40 in 2017.

In addition to fundraising, a majority of interviewees said that Personal PAC made it easier to whip votes for HB 40 because the PAC had developed a system of electoral accountability. In order to secure an endorsement and associated financial support from Personal PAC, political candidates must score 100% on the Personal PAC Questionnaire. According to Ben Head–Co-Founder and Political Director of Men4Choice–when candidates fill out the questionnaire, they know Personal PAC will hold them accountable to vote in favor of pro-choice legislation. “If you are less than a hundred percent pro-choice,” Head explained, “[Terry Cosgrove] reserves the right to go after you.” According to Khadine Bennett–Director of Advocacy and Intergovernmental Affairs for ACLU of Illinois–Personal PAC’s method of accountability made it easier to convince legislators to vote for HB 40 in 2017. In her interview,

[17]According to Illinois Sunshine (2020b), Personal PAC Inc has raised $19,846,610.99 since 1999. Additionally, Personal PAC Independent Committee–a Super PAC–has raised $6,207,318.69 since 2012 (Illinois Sunshine, 2020c).

Bennett said, "I definitely give Terry and Personal PAC credit for the work they did….because, with each election cycle, we got more legislators who were willing to vote for what were perceived as harder issues." Therefore, by imposing the credible threat of pulled campaign funding and damning media coverage for falling out of line, Personal PAC strengthened the pro-choice identity among Illinois Democrats and helped whip enough pro-choice votes to pass HB 40 by 2017.

The impact of the Personal PAC questionnaire, however, goes beyond legislative vote counts. By requiring gubernatorial candidates seeking endorsements to fill out questionnaires, Personal PAC holds Illinois governors accountable to sign pro-choice legislation. In the case of HB 40, Governor Bruce Rauner's 2014 Personal PAC Questionnaire (see Appendix J) is of particular importance. During his first gubernatorial campaign against Democratic Governor Pat Quinn in 2014, Rauner answered yes to all but one question on the Personal PAC Questionnaire, specifically stating his support for Medicaid funding of abortion and the repeal of Illinois' "trigger law" on abortion (see Appendix J). Under pressure from pro-life Republican legislators whose votes he needed to maintain the budget impasse, however, Rauner publicly pledged to veto HB 40 on April 14th, 2017. In response, on April 19th, Personal PAC held an unprecedented press conference where Cosgrove released Rauner's 2014 questionnaire responses to the media. Additionally, on April 23rd, 2017, Personal PAC sent out a press release showing that Rauner's veto threat not only opposed Illinois voter preferences, but also contradicted his 2014 campaign promises (see Appendix K).

When asked why Rauner ultimately signed HB 40 in 2017, 10 interviewees–including actors from every category–pointed to the public release of Rauner's 2014 questionnaire

responses. Rauner had to sign the bill, according to Ben Head, because, "The cardinal sin of politics is disrespecting your voters. And, lying to your voters is a huge sign of disrespect." By holding Rauner accountable to his campaign promises, Personal PAC forced him to either sign HB 40 or be characterized as an unreliable leader. As Rauner's 2018 primary challenger, former State Rep. Jeanne Ives, put it, "...men who are weak in moral character will say whatever they need to say at the moment to get through that moment."

While it is impossible to say whether HB 40 would have passed without the work of Personal PAC, it certainly would not have passed without enough pro-choice votes in the Illinois House and Senate. It is likely that the persistent pressure of an organization solely dedicated to the election of pro-choice legislators helped build those votes. As such, while the election of Donald Trump brought abortion to the forefront of Illinois politics, Personal PAC, by creating a robust infrastructure of pro-choice fundraising and electoral accountability, helped facilitate the passage of HB 40 in 2017.

3. Coalitional Cohesion and Strategy

When identifying factors contributing to the passage of HB 40, interviewees most frequently cited the success of coalition organizing in Illinois (see Appendix E). While the official coalition fact sheet specifies 19 organizations in support of HB 40 (see Appendix L), I discovered at least 10 other organizations and providers involved in the coalition during my investigation[18]. The Illinois Reproductive Rights Coalition, as I refer to it in this study, encompasses a broad range of organizations: advocacy, grassroots, providers, and researchers.

[18] In addition to the organizations listed on the HB 40 Fact Sheet in Appendix L, I found that Chicago Abortion Fund, Hope Clinic for Women, Family Planning Associates Medical Group, Illinois Handmaids, Friends Who March, HB 40 Task Force, Ci3 at the University of Chicago, Indivisible Illinois, Indivisible Chicago, and Progressive Indivisible Berwyn worked with the coalition in support of HB 40.

As indicated by interview data, there are two key aspects of coalitional organizing that contributed to the passage of HB 40 in 2017: cohesion and strategy.

Coalitional Cohesion

Despite the wide variety of organizations in the Illinois Reproductive Rights Coalition, 24 of 39 interviewees identified coalitional cohesion as a factor contributing to the passage of HB 40. As a result of coalitional cohesion, the interviewees explained, the Illinois Reproductive Rights Coalition successfully developed coalition-wide messaging to bring public attention to HB 40 in 2017. By discussing messaging with providers, grassroots organizations, and national organizations like All Above All and the National Institute for Reproductive Health, the Illinois Reproductive Rights Coalition developed streamlined but ground-informed talking points regarding HB 40. Ultimately, the coalition framed HB 40 as a matter of ensuring accessibility of healthcare to low-income women. To stress the urgency of the bill, the coalition also crafted messaging emphasizing the federal threat to abortion rights under the Trump administration.

According to 19 interviewees, the coalition's cohesive messaging proved most useful in educational and advocacy efforts regarding HB 40. By releasing a comprehensive but concise two-page fact sheet, the coalition could quickly brief legislators and reporters on HB 40 and who supported it (see Appendix L). Additionally, by creating a single website to track progress on HB 40, the Illinois Reproductive Rights Coalition could effectively educate and mobilize constituents in one place[19]. The website also featured premade graphics and videos specifically for viewers to share and show support for HB 40 on social media (see Appendix M). According to Personal PAC and Men4Choice (2017), the cohesive messaging and advocacy regarding HB

[19]Personal PAC and Men4Choice created www.callbullshitillinois.org in order to provide a single platform for action and communication on HB 40.

40 on social media helped the coalition reach over three million unique Illinoisans online. By quickly crafting a cohesive but representative messaging strategy around HB 40 following the election of Donald Trump in 2016, the Illinois Reproductive Rights Coalition successfully educated legislators, reporters, and the public on the importance of passing HB 40 before the window of opportunity for action on abortion closed.

When discussing the process to passing HB 40 in 2017, one provider attributed the cohesion of the Illinois Reproductive Rights Coalition to the outreach and coordination work of Lorie Chaiten at the ACLU of Illinois:

> ... it's my understanding that Lorie [Chaiten] was wildly instrumental in making that a strong coalition between organizations and providers. Every time policy was written or changed, she was the one who let people see that language, see how it would impact providers, and bring as many folks to the table.

As mentioned by all of the abortion providers I interviewed, Chaiten successfully fostered coalitional cohesion by actively coordinating and raising the voices of grassroots organizers and abortion providers in the Illinois Reproductive Rights Coalition in 2017. Since Chaiten left the ACLU of Illinois in 2018, the importance of her leadership is more evident than ever. According to one provider, coalitional cohesion in the Illinois Reproductive Rights Coalition has drastically declined since Chaiten's departure:

> I don't think that those relationships have been as strong since Lorie [Chaiten] is no longer at ACLU of Illinois. And, I have seen that personally with the relationships between the Illinois coalition and national partners. With the fight with the Reproductive

> Health Act, the national partners weren't as visible….And, I think it's really strained how providers play a role.

Therefore, by earnestly considering all takes on the issue, rather than focusing on the views of a few lobbyists in Springfield, Chaiten played a crucial role in developing cohesion within the Illinois Reproductive Rights Coalition in 2017.

Coalitional Strategy

In addition to coalitional cohesion, interviewees expressed that coalitional strategy contributed to the passage of HB 40. On a broad level, 24 interviewees said that dividing work amongst the advocacy and grassroots organizations maximized the Illinois Reproductive Rights Coalition's capacity to effect policy change in 2017. By strategically dividing work based on experience and connections of policy entrepreneurs and organizations, the coalition successfully executed legislative and grassroots mobilization strategy to pass HB 40.

When discussing the process of convincing legislators and Rauner to pass and sign HB 40, respectively, 32 of 39 interviewees pointed to the power of strategies utilized by lobbyists in the coalition. Prior to 2017, lobbyists from Personal PAC, Planned Parenthood of Illinois, and the ACLU of Illinois formed working relationships with Illinois politicians, including Illinois Speaker of the House Mike Madigan, while working to pass the Illinois Health Care Right of Conscience Act in 2016. Before HB 40, coalition lobbyists also identified key state representatives and senators who would be willing to take leadership roles on future pro-choice legislation. When the window of opportunity to take legislative action on abortion opened with the election of Donald Trump in 2016, existing political relationships and the capacity of

advocacy organizations to leverage reelection allowed coalition lobbyists to pressure Madigan to call a vote on HB 40 and to convince enough Democrats to vote for the bill.

In the years prior to the passage of HB 40, Madigan resisted calling Medicaid funding of abortion to a vote because he feared that Democrats in competitive districts would lose their seats by taking a controversial vote. As stated by an anonymous former state legislator:

> …the pro-choice movement ha[d] been working on the issues that became law in HB 40 and RHA forever…not getting the votes, not persuading Madigan to call a vote… the status quo...of Illinois politics at the time was the idea, 'We're not going to do anything too big on abortion because it's just too controversial. It's too hard to find the votes. We're not going to do it.'

When the window of opportunity to pass abortion legislation opened with the election of Donald Trump in 2016, however, pro-choice advocates successfully lobbied Madigan to call a vote on HB 40. When asked why Madigan agreed to do so in 2017 as opposed to prior years, former State Rep. Jeanne Ives said:

> I think that it was part of a payback. He [Madigan] owed those pro-abort PACs that shoveled hundreds of thousands and millions of dollars into his members' campaigns and were going to do the same thing in 2018….Madigan's very much a transactional player. And, if he got pressured to do it, then that's what happened.
>
> He doesn't care about policy. That's the complete myth here. He only cares about power, and he wanted to really damage the Republican party and put in the divide that still exists today to some degree. And, he did. And so, he didn't care. That guy's got no soul.

An anonymous former state legislator similarly explained that by pushing for a bill that would force Rauner into a double-bind in the upcoming gubernatorial race, pro-choice lobbyists made a compelling case for Madigan to call a vote on HB 40:

> Madigan understood [that] for this bill to get onto Bruce Rauner's desk would be a massive political conundrum for him. But, to sign it would really create problems for him with his Republican base and the Republican primary….But, to veto it it would potentially render him unelectable for a general election.

If Rauner signed the legislation, he would divide the Republican base and possibly face a credible primary challenger in 2018. If Rauner vetoed the legislation, he would go back on 2014 campaign promises and lose support from pro-choice Democratic voters. With access to Madigan from existing relationships within the legislature, coalition lobbyists could successfully meet with him within the window of opportunity and convince him to bring HB 40 to a vote in 2017.

In addition to convincing Madigan to call HB 40 to a vote, coalition lobbyists mobilized pre-identified pro-choice champions within the legislature to meet with Democrats in competitive districts and whip votes for the legislation. By being in constant communication with key legislators and swiftly answering any legal, technical, or medical questions, coalition lobbyists brought ease to the political process of whipping votes. Additionally, by reminding Democrats that the reelection support of Personal PAC depended on their commitment to passing pro-choice legislation, coalition lobbyists held legislators accountable to voting in favor of HB 40. As stated by Ben Head, Co-Founder of Men4Choice, “The first rule in Springfield is that you don’t fuck with Terry Cosgrove.” If legislators voted against the pro-choice agenda, they knew

that Personal PAC could and would mount a credible primary challenger against them in the upcoming 2018 midterm election.

Beyond legislative strategy, interviewees also stressed the importance of grassroots strategy to the passage of HB 40. Although interviewees identified pro-life organizing as a roadblock to passing HB 40, the pro-choice movement out organized them by conducting targeted constituent contact and by placing visible political pressure on Rauner in 2017 (see Appendix F). As reported by 22 interviewees, phone banking, lobby days, and post card writing swayed legislators to vote in favor of HB 40. With consistent communication between grassroots mobilizers and advocates lobbying in Springfield, the Illinois Reproductive Rights Coalition developed an intentional strategy to boost constituent contact particularly in districts with legislators wavering on HB 40. Holding over 40 phone banks funded by Men4Choice, coalition members contacted constituents in approximately 10 districts with wavering legislators, educated them on HB 40, and then patched them through to their representatives. According to Ben Head at Men4Choice:

> That [targeted phone banking] was a really effective tool in our toolbox because it showed legislators that there was real support for this within their communities…. [I]f you're putting 25 calls a day from constituents about a particular issue into the state reps office every day for a week, two weeks, three weeks, it can become really difficult for them to ignore it….That was a good use of resources.

By intentionally utilizing resources to build constituent support for HB 40 in competitive districts, the coalition strategically maximized the impact of grassroots energy from the election

of Trump, securing the Democratic votes necessary to pass HB 40 in the Illinois House and Senate.

Although Rauner threatened to veto HB 40 in 2017, 20 interviewees said that public and visible grassroots pressure influenced Rauner to sign it into law. Notably, a group of women–now called the Illinois Handmaids–dressed as handmaids from *The Handmaid's Tale* and stood in silent protest of Rauner at various events: outside the Thompson Center, on Governor's Day of the Illinois State Fair, and outside of a house party Rauner held with pro-choice donors. Illinois Handmaids Founder Annie Williams described the striking imagery and emotional impact of the demonstrations:

> …[W]e walked two by two. We kept our heads down. People tried to speak to us. We didn't speak to them….[P]eople got it immediately. Some women...would whisper to us. 'Thank you sister. I appreciate what you're doing.' When we got to the Thompson Center, we just stood in a semicircle, and we didn't speak. We didn't do anything. I think that sort of captivated people. Like, 'What's happening? What are they going to do?'...At the end...we slowly raised our hands and pointed at the building in a point of shame to Governor Rauner. And then, we lowered our arms and left.

Williams explained that the Handmaids particularly frustrated Rauner on Governor's Day at the Illinois State Fair in 2017: "...he could see us, but he didn't look at us. I know that we had an effect because the next year... they had trucks lined up along that fence where we stood–in case anybody was there again."

According to a majority of interviewees, the Handmaid demonstrations–in addition to Personal PAC's press conference, social media, and mailers–exposed Rauner for lying about his

pro-choice agenda in 2014. As a result, Rauner's inner circle of big pro-choice donors demanded that he sign HB 40 as promised three years prior. According to HB 40 Task Force activist Angie Dodd:

> [There] was a listening party–that's what he [Rauner] called it–to hear what these big women donors to his campaign had to say about HB 40. And, almost [every] person in there… said, 'We voted for you with the understanding that you would support reproductive rights, and we expect you, even as a Republican, to stand behind that.' And, I actually think that was the turning point where he decided he would sign HB 40 into law.

Following the listening party and at least two meetings where coalition activists told personal stories of the impact of Medicaid funding of abortion for low-income women in Illinois, Rauner somberly signed HB 40 on September 28th, 2017. Because Republicans had already voted in favor of the budget impasse in the months prior, former considerations that led Rauner to threaten to veto HB 40 were no longer applicable. With public attention to his shaky position on abortion and ensuing donor frustrations, Rauner knew vetoing HB 40 would threaten his reelection chances in 2018. Additionally, when having conversations with real women most impacted by the legislation, Rauner could tie names and faces to reasons why signing HB 40 would benefit Illinois constituents. As Former Volunteer Coordinator for Women's March Chicago Alexandra Bailey put it, "People are hard to hate close up." Therefore, as a result of the visible pressure strategized and executed by the Illinois Reproductive Rights Coalition, Rauner had little choice but to sign HB 40.

The Passage of Abortion Legislation Beyond HB 40

In addition to interviewing 39 players regarding the passage of HB 40, I interviewed 14 people regarding the passage of state-level abortion policy beyond HB 40. Similar to the key factors that contributed to the passage of HB 40, these interviewees identified the importance of mobilizing during a window of opportunity (N = 10), electing pro-choice legislators (N = 7), and developing coalitional cohesion and strategy (N = 14) in passing pro-choice policy in state legislatures. Beyond those factors, interviewees also discussed legislative momentum and stressed that diversity in coalitions and state legislatures contributes to the passage of pro-choice policy at the state level.

Legislative Momentum

According to 9 of 14 general interviewees, passing pro-choice legislation in a state can make it easier to pass similar legislation in that state moving forward. As Heather Booth–the Founder of the Jane Collective[20]–asserted, "Victories give people confidence that other victories are possible." The logic here is sound. While Democrats in competitive districts may initially fear the electoral consequences of taking votes on abortion legislation, they may be more willing to vote for pro-choice legislation once they are reelected after doing so. Once legislators are convinced that the majority of their constituents are truly in support of abortion in some capacity, pro-choice advocates may find it easier to whip votes and pressure politicians to call votes for future pro-choice abortion legislation.

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[20] The Jane Collective–founded by Heather Booth as an undergraduate at the University of Chicago–was an underground network that provided abortion counseling and care in Chicago from 1969 to 1973. The Jane Collective initially connected women to abortion providers and often subsidized procedure costs based on ability to pay (Kaplan, 1995). In the early 1970s, various members of the Jane Collective learned how to perform abortions, and the organization began to provide abortion care out of apartments in the Hyde Park neighborhood of Chicago (Kaplan, 1995).

It is important to address, however, that interviewees often noted that legislators may experience "vote fatigue" in the session or year following the passage of pro-choice legislation[21]. Once a legislator votes in support of pro-choice abortion legislation, they may not feel motivated to do so again because there are other issues to get to or because they assume that the previous bill covered all that needed to be passed. Although, by emphasizing public support for abortion rights and pointing to electoral wins following pro-choice votes, it is possible to overcome "vote fatigue" and pass more pro-choice legislation. Following the passage of HB 40 in 2017, all Democratic legislators who voted in favor of the bill won reelection in 2018. In 2019, the Illinois House and Senate went on to pass the Reproductive Health Act in 2019. Discussing the factors contributing to the passage of the RHA, Sara Kurensky–the Outreach Coordinator at Women's March Chicago–explained, "The passage of HB 40 then gave us a place to stand as we moved on to RHA."

Diversity in Coalitions

In addition to recognizing the legislative momentum that comes with the passage of pro-choice legislation, 11 of 14 general interviewees emphasized that diversity, in both coalition organizing and the state legislature, helps facilitate the passage of pro-choice legislation in state legislatures. With regards to diversity in coalition organizing, 7 of 14 interviewees highlighted the strengths of intersectional policy and the power of storytelling in the policymaking process. By raising the voices of the people and providers most impacted by pro-choice abortion legislation, coalitions are able to write culturally appropriate policy that serves the true needs of the community at hand. Furthermore, when people most impacted by abortion legislation have

[21]"Vote fatigue" is when a legislator does not want to take another vote on an issue because they just recently did so on a similar piece of legislation.

the platform to speak with legislators about their personal experiences, they can be effective at swaying legislators to vote in their favor.

Discussing the influence of storytelling on legislators, Erin Davison-Rippey–the Iowa Executive Director of Planned Parenthood North Central States–pointed to a time when a woman in Iowa talked with Republican state senators about her experience needing an abortion for a "very much wanted pregnancy with a fatal fetal anomaly." Although the Republican state senators still voted in favor of the 20-week abortion ban at hand, Davison-Rippey explained, they ultimately amended the legislation in the Iowa State Senate to include exceptions for fatal fetal anomalies after hearing the woman's story. Although the final version of the bill signed into law did not include this exception, the fact that the Senate passed a version of the bill with the exception illustrates that stories about personal experiences with abortion can sway legislators and impact the political process. Consequently, by raising the voices of those most impacted by abortion legislation, a pro-choice coalition may write more intersectional and culturally appropriate policy while garnering increased political support for their legislative initiatives.

Diversity in State Legislatures

Regarding the benefits of diversity in the state legislature, 7 of 14 interviewees said that they thought electing non-male and non-white politicians would increase the likelihood of passing pro-choice legislation at the state level. As interviewees explained, non-male and non-white legislators focus on passing policy for the sake of "good public policy," not reelection. According to Joe Solmonese–the former Chief Executive of EMILY's List–when representatives are personally impacted by issues of reproductive rights, they take "that passion, that energy to the state legislature....[a]nd, more often than not, [become] the central champion of the

legislative effort…" In a similar vein, Bobby Mannis–Policy Director at the Office of Illinois Lieutenant Governor Juliana Stratton–expressed, "Representation matters...And, it matters not only for who you are and what you look like, but also representing what your constituents want regardless of whether it is a palatable political position for you." Because women–and particularly women of color–may be aware of or personally impacted by weak or lacking reproductive rights legislation, they may be more motivated than white men to pass pro-choice abortion legislation.

We see the impact of electing non-male and non-white candidates to office in the state of Illinois both before and after the passage of HB 40. Once the House passed HB 40 in April of 2017, former State Senator Toi Hutchinson pressed the Senate to do the same. In response to Republican Rep. Tom Morrison comparing abortion to slavery on the floor of the Illinois House, Sen. Hutchinson made a passionate case for the passage of HB 40 on the floor of Illinois Senate on May 10th, 2017, stating "...I would suggest that as a descendant of such [slavery], that there is nothing more intrinsic to freedom than bodily autonomy." According to Oren Jacobson–Co-Founder and Vice Chair of Advocacy at Men4Choice–the way Sen. Hutchinson spoke out on HB 40 had a substantial political effect:

> …the way Toi even talks about this issue has impacted the way Men4Choice thinks and talks about this issue because she focused a lot on bodily autonomy…. I think that those things can't be understated. And, as a byproduct, in 2018 not only did everybody who voted for HB 40 get reelected, we [the pro-choice coalition] were able to flip four additional seats in the state House. All those four seats were won by women.

By drawing from personal experience and explicitly discussing the stakes of HB 40 for people of color in Illinois, Sen. Hutchinson reminded legislators that voting for HB 40 had real-world implications for their constituents.

Over a year after the passage of HB 40, the newly elected female Democrats in the Illinois House of Representatives ardently pushed for the passage of the Reproductive Health Act (RHA)[22]. According to an anonymous former state legislator, when the pro-choice lobbyists first brought the RHA to Madigan in 2019, his "initial response was to hold the bill because, politically, he...viewed it as a liability." Similarly, according to the former state legislator, there was a lack of urgency to pass the RHA among politicians in the House:

> I think some of the members definitely felt like it was too much too soon. Like, 'Oh my God, I just voted for HB 40 and I had to deal with all the blow back from that and they're going to make me do it again. No way.'

When many of their male colleagues expressed a lack of urgency to pass the RHA in 2019, each of the nine newly elected Democratic women in the House pressured Madigan to call a vote on the legislation anyway, stressing that they ran for office to effect tangible change and that they intended to do so. Frustrated with the possibility of the RHA stalling in the House, one freshman legislator even threatened to stop voting until the RHA was called to a vote in 2019. When discussing the RHA in her interview, State Sen. Melinda Bush credited the freshmen legislators for the bill's success:

[22] In 2018, nine Democratic women were newly elected to the Illinois House of Representatives: Terra Costa Howard, Mary Edly-Allen, Jennifer Gong-Gershowitz, Joyce Mason, Debbie Meyers-Martin, Diane Pappas, Delia Ramirez, Anne Stava-Murray, and Karina Villa.

> I believe that they forced the bill to be called…Kudos to the Speaker for calling it when they went to him and said, 'We have the votes. We want to call. It's why we ran. We ran because we want to do the right thing. Please. Call this vote.'

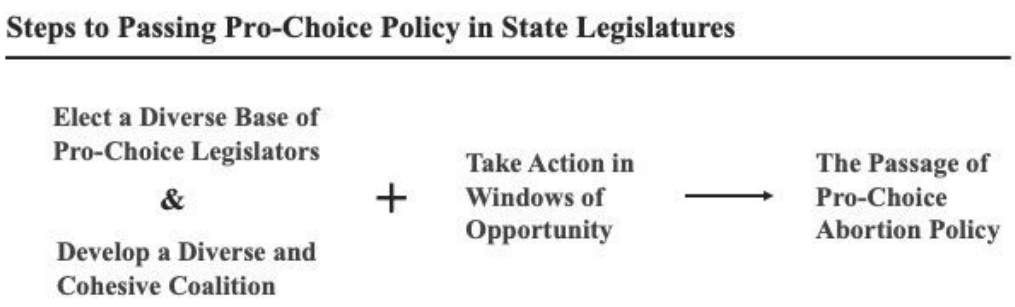
Discussing why the freshmen women pushed so hard for the RHA while their male colleagues held back, one freshman legislator remarked:

> Women's reproductive health care is just not very important to men in general. It doesn't affect them the way it affects us. So, we're way more passionate about it….[I]t's just changing the mindset from a man ruled world to women trying to get their fair share of the power. I think the grounds have shifted.

By focusing on passing "good public policy," as opposed to worrying about reelection, these nine Democratic women expanded abortion rights in Illinois law by facilitating the passage of the RHA in 2019. Like Sen. Hutchinson, these female legislators converted their personally informed passion for reproductive rights into tangible legislative results. As such, it is possible that working to elect non-male and non-white pro-choice politicians to state office may help facilitate the passage of pro-choice policy in states across the US.

Recommendations

Considering the factors contributing to the passage of HB 40 and evidence from 14 general interviews, I suggest three strategies to passing pro-choice abortion legislation in state legislatures: (1) take action in windows of opportunity, (2) elect a diverse base of pro-choice legislators, and (3) develop a diverse and cohesive coalition.



It is worth noting that these suggested strategies vary in success from state to state[23]. In states with Democratic or split party control of the legislature, it may be possible to pass pro-choice abortion legislation by utilizing the strategies suggested in this study. In particular, interviewees identified possibilities to pass pro-choice abortion legislation in Virginia, Maine, Vermont, Rhode Island, Alaska, Minnesota, Colorado, New Mexico, and New York. In states with Republican control of the legislature, it may be particularly difficult or impossible to pass pro-choice legislation in the short-term[24]. As such, I suggest policy advocates make informed modifications to the following suggestions based on the political climate and resources in the state at hand.

1. Take Action in Windows of Opportunity

To maximize the likelihood of passing pro-choice policy at the state level, policy entrepreneurs must act during windows of opportunity. Regarding pro-choice abortion legislation, a window of opportunity may involve the election of an anti-choice politician, the nomination of a conservative to the Supreme Court, or a credible threat to abortion rights at the

[23] Of the 14 actors asked general questions about the passage of pro-choice abortion legislation in state legislatures, 8 expressed that it is harder in some states than others to pass proactive pro-choice abortion legislation.
[24]According to the Nash and Mohammed et al. (2019), 17 states passed abortion restrictions in 2017, including Alabama, Arkansas, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Utah, and Wyoming. Since 2018, Republicans have controlled the governments of all 17 of these states (National Conference of State Legislatures, 2018).

state level. Due to the controversial nature of abortion as a political issue in the US, it is especially important that policy entrepreneurs act to pass pro-choice legislation as a window of opportunity opens. The findings of this study suggest that contemporary politicians still often behave as “single-minded seekers of reelection" in state policymaking (Mayhew, 1974). In fear of losing their next election, Democratic legislators, especially those in competitive districts, often avoid taking leadership roles or votes to pass pro-choice abortion legislation unless there is an immediate threat or need to do so.

In the case of HB 40, the election of Donald Trump in 2016 served as the catalyst to passing Medicaid funding of abortion and striking an outdated “trigger provision” in Illinois law. By taking action at a time of the federal threat to overturn *Roe v. Wade*, pro-choice advocates in Illinois successfully harnessed grassroots frustrations and energy to effect tangible legislative change. Affirming Kingdon’s (1995), McAdam’s (1999), and Tarrow’s (1989) conclusions on the success of collective action with political opportunity, policy entrepreneurs maximize their likelihood of passing pro-choice abortion legislation in state legislatures when they take action in windows of opportunity.

2. Elect a Diverse Base of Pro-Choice Legislators

In order to strengthen state abortion protections in the policymaking process, there must be enough pro-choice Democratic votes to pass pro-choice legislation at the state level. As such, I suggest that states work to elect a base of diverse pro-choice Democratic legislators to the state legislature. In particular, I suggest electing a non-male and non-white base of legislators because they, as illustrated by the general interview analysis above, are likely to support pro-choice legislation for the sake of passing “good public policy” as Kernell (1991) refers to it. When

working to elect a diverse base of pro-choice legislators, policy entrepreneurs may achieve electoral successes by creating organizations, similar to Personal PAC, that are solely dedicated to fundraising for and electing non-male and non-white politicians to state office. In addition to the benefits of electing non-male and non-white legislators, tying reelection to a pro-choice agenda ultimately forces legislators to support pro-choice legislation or face credible primary challengers. As a result, lobbyists may find it easier to whip enough votes to pass pro-choice legislation in general.

As seen in Illinois, it is particularly beneficial to elect diverse legislators to state office because they may be more likely than white men to vote for pro-choice legislation or even champion it in the legislature. Compared to white male legislators, newly elected non-male and non-white legislators may have a more nuanced understanding of the consequences of abortion restrictions. By leaning on personal experiences to highlight the implications of accessibility to healthcare of for low-income women of color, diverse legislators–like Sen. Hutchinson and the freshmen female House legislators–may successfully overcome the complacency of their fellow legislators to enact pro-choice abortion legislation.

While Mayhew (1974) characterizes legislators solely as "single-minded seekers of reelection," the findings of this study indicate that non-male and non-white elected officials are more likely than their white male colleagues to put their concerns about the passage of "good public policy" above their fears for reelection. Although more research must be done to assess the legislative incentives of non-male and non-white politicians compared to the white male politicians, evidence from this study clearly suggests that electing a diverse base of pro-choice politicians to state office contributes to the passage of pro-choice policy in state legislatures.

3. Develop a Diverse and Cohesive Coalition

In state legislatures, coalitions are most effective in influencing policy outcomes when they raise marginalized voices and present a united message. To best utilize legislative and grassroots strategy to pass pro-choice policy in state legislatures, I suggest that pro-choice policy advocates develop diverse and cohesive coalitions in their respective states.

By involving the people most impacted by the policy at hand, including low income women of color and abortion providers, coalitions can write ground-informed and culturally appropriate policy that most benefits marginalized constituents in the state. Additionally, by connecting low-income women of color and abortion providers with state legislators, coalitions may be able to sway wavering Democratic politicians to vote for the pro-choice abortion legislation at hand. Echoing the work of Page (2008), Kondra and Hinings (1998), and Walker and Stepick (2014), diversity in coalition organizing can help facilitate the passage of legislation in the policymaking process.

When these diverse coalitions present a unified message and cohesive strategy, they are most successful at pressuring legislators to act on the passage of pro-choice abortion legislation. By unifying around a single message that abortion access increases the accessibility of healthcare to low-income women of color, coalitions can educate legislators and conduct advocacy campaigns both clearly and consistently. Additionally, by agreeing to divide legislative and grassroots responsibilities, coalitions create cohesive strategy that mobilizes the public and pushes for legislative action on pro-choice abortion policy. By pairing diversity with coalitional cohesion similar to that described by Kingdon (1995), Shanahan et al. (2011), and Schlager

(1995), pro-choice coalitions can effectively facilitate the passage of pro-choice legislation in state legislatures.

Conclusion

Since Nixon's reelection campaign in 1972, abortion has become a prominent wedge issue in American partisan politics. Current academic work regarding policymaking and coalitions provides an important foundation to understanding the process to passing state legislation in the US. By investigating the factors contributing to the passage of Illinois House Bill 40 in 2017, this study expands on present scholarship to identify successful strategies to the passage of pro-choice abortion laws in state legislatures.

Upon analyzing data from 39 interviews with key players in the passage of HB 40, I identify three key factors contributing to the passage of the legislation: (1) the election of Donald Trump in 2016, (2) the election of pro-choice legislators and a pro-choice base in Illinois, and (3) coalitional cohesion and strategy. Considering the factors influencing the passage of HB 40 and evidence from 14 interviews with actors involved in abortion policy beyond HB 40, I suggest three strategies to passing pro-choice abortion legislation at the state level: (1) take action in windows of opportunity, (2) elect a diverse base of pro-choice legislators, and (3) develop a diverse and cohesive coalition.

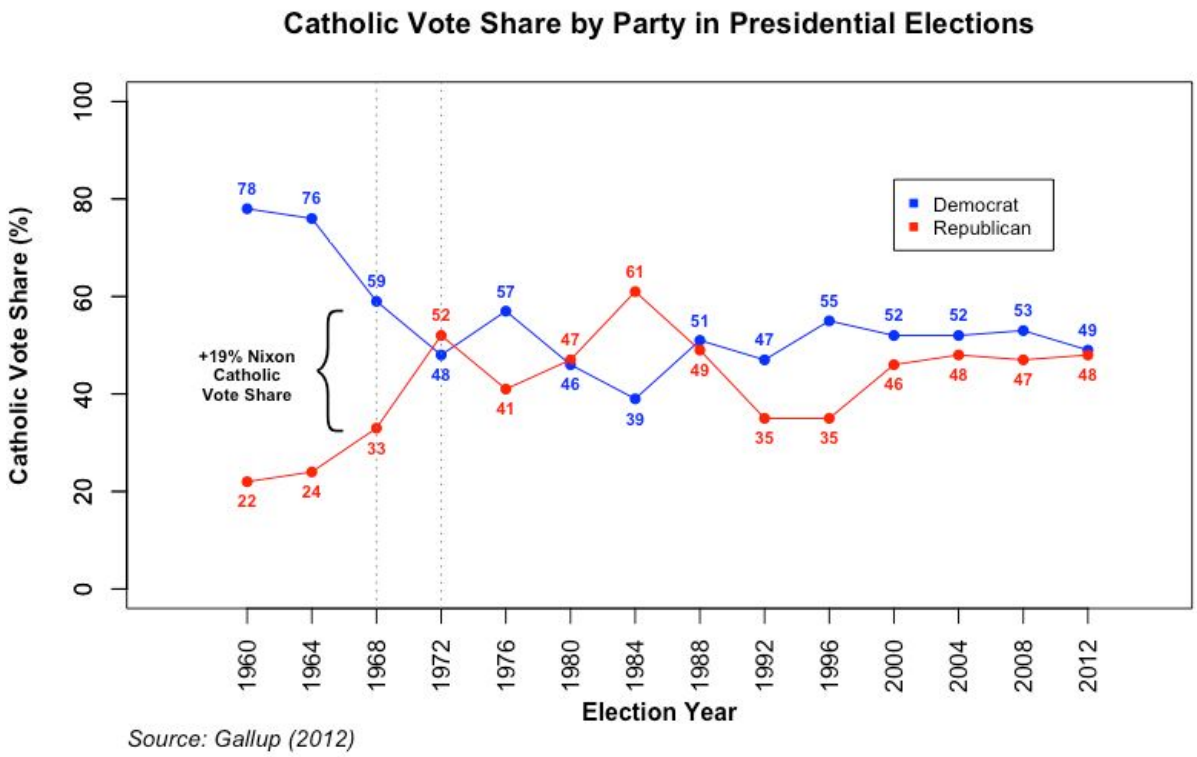
The success of these suggested strategies will inherently vary from state to state. In states with Democratic or split-party control of the legislature, there is a higher chance that the utilization of these strategies will yield more immediate results in the passage of pro-choice abortion legislation. In particular, interviewees identified opportunities for legislative action in Virginia, Maine, Vermont, Rhode Island, Alaska, Minnesota, Colorado, New Mexico, and New

York. In states with Republican control of the legislature, however, the passage of pro-choice legislation, regardless of a national window of opportunity for policy change, may not be immediately feasible. As such, pro-choice advocates in predominantly Republican states must work to elect a diverse base of pro-choice legislators in state government. Considering the electoral achievements facilitated by Personal PAC since 1989, pro-choice advocates in predominantly Republican states may successfully elect a pro-choice base by creating an organization solely dedicated to raising money for and electing non-male and non-white pro-choice legislators at the state level.

The findings of this case study suggest that more research must be done to evaluate the impact of coalitional and politician diversity on the passage of social legislation. Currently, fears for reelection by Mayhew's (1974) "single-minded seekers of reelection" continue to influence agenda-setting and whether or not legislation is passed at the state level. However, as suggested by the findings of this study, as non-white and non-male individuals are elected to the legislature, concerns for reelection are notably diminished. Future research must therefore evaluate how passing "good public policy"–as Kernell (1991) refers to it–may become more important than concerns for reelection when the people most impacted by social policy are elected to office and involved in coalitional organizing.

Appendices

Appendix A: Catholic Vote Share by Party in Presidential Elections



Source: Gallup (2012)

Appendix B: Interview Participants

Category 1: Advocacy and Grassroots Organizations

Advocacy

Name	Position	Affiliation
Alison Leipsiger[+]	Senior Communications Associate	State Innovation Exchange (SiX)
Ben Head	Co-Founder and Political Director; Political Director	Men4Choice; Schakowsky for Congress
Ben Halle[+]	Former Press Secretary	Planned Parenthood Federation of America
Bob Gilligan*	Executive Director	Catholic Conference of Illinois
Donna Gutman	Former Board Member	Personal PAC
Eileen Dordek	Board Chair	Personal PAC
Eric Scheidler*	Executive Director	Pro-Life Action League
Erin Davison-Rippey[+]	Iowa Executive Director	Planned Parenthood North Central States
Joe Solmonese[+]	Chief Executive Officer; Former Chief Executive Officer; Former Transition Chair and Board Member; Former President; Former Board Member	2020 Democratic National Convention Committee in Milwaukee; EMILY's List; Planned Parenthood Federation of America; Human Rights Campaign of the United States; Planned Parenthood of Metropolitan Washington, D.C.
Julie Stauch[+]	Former Chief Public Affairs Officer and Former Vice President of Government Affairs and Legal	Planned Parenthood of the Heartland
Khadine Bennett	Director of Advocacy and Intergovernmental Affairs	ACLU of Illinois
Lorie Chaiten	Special Counsel to the Reproductive Freedom Project; Former Director of the Women's and Reproductive Rights Project	ACLU Foundation; ACLU of Illinois
Marissa Graciosa[+]	Former Director of Strategic Initiatives, Former National Director of Organizing, Former National Training Director for	Planned Parenthood Federation of America

	Public Affairs and Organizing	
Mary Kate Knorr*	Executive Director	Illinois Right to Life
Mike Ziri	Director of Public Policy	Equality Illinois
Oren Jacobson	Co-Founder; Vice Chair, Advocacy	Men4Choice
Ralph Rivera*	Lobbyist	IL Right to Life Action
Rebecca Richards	Board Member; Attorney with Illinois Judicial Bypass Coordination Project	Personal PAC; ACLU of Illinois
Rianne Hawkins	Deputy Director, Advocacy and Campaigns; Registered Lobbyist	Planned Parenthood of Illinois/Planned Parenthood Illinois Action/Planned Parenthood Illinois Action PAC
Sam Lee*	Lobbyist	Campaign Life Missouri
Terry Cosgrove	President and CEO	Personal PAC
Anonymous	Community Organizer	Advocacy Organizations

Grassroots

Name	**Position**	**Affiliation**
Aileen Kim	Board Member	Chicago Abortion Fund
Aisha Chaudhri	Reproductive Justice Manager; Board Chair and Former Education Manager	Everthrive Illinois; Illinois Caucus for Adolescent Health
Alexandra Bailey	Former Volunteer Coordinator; Former Member	Women's March Chicago; ACLU of Illinois
Angie Dodd	Activist	HB 40 Task Force
Annie Williams	Founder; Co-Leader	Illinois Handmaids
Brittany Mostiller	Former Executive Director	Chicago Abortion Fund
Claire Shingler	Former Executive Director	Women's March Chicago
Deborah "Deb" Wellek-Wolkstein	Community Organizer; Activist	HB 40 Task Force; Illinois Handmaids
Heather Booth[+]	Founder	The Jane Collective
Jax West	Founder and President; Co-Leader	Friends Who March; Illinois Handmaids

Jennifer Stanley	Former Creator, Host, and Producer	CHOICE/LESS Podcast with Rewire News
Linda Buyer	Director of Special Projects; Professor Emeritus	Jan Schakowsky; Governors State University
Marjorie Brownstein[+]	Community Volunteer	Indivisible IL-9 and NARAL Pro-Choice America in Illinois
Marla Rose	Founder; Activist	Progressive Indivisible Berwyn; Illinois Handmaids
Megan Jeyifo	Executive Director	Chicago Abortion Fund
Robin Marty	Author; Co-Author; Former Senior Political Reporter; Freelance writer, Author, Speaker and Activist	*Handbook for a Post-Roe America*; *The End of* Roe v. Wade; Rural Health Research Center
Sara Kurensky[+]	Outreach Coordinator	Women's March Chicago

Category 2: Illinois Government

Name	**Position**	**Affiliation**
Bobby Mannis[+]	Policy Director	Office of Lt. Governor Juliana Stratton
Heather Steans	State Senator for Illinois' 7th District	Illinois State Senate
Jeanne Ives*	Former State Representative for Illinois' 42nd District; Candidate for US Congress	Illinois House of Representatives
Lauryn Schmelzer	Chief of Staff	Office of IL State Rep. Ann M. Williams
Melinda Bush	State Senator for Illinois' 31st District	Illinois State Senate
Anonymous*	Representative	Illinois Legislature
Anonymous[+]	Freshman Democratic State Legislator	Illinois Legislature
Anonymous[+]	Freshman Democratic State Legislator	Illinois Legislature
Anonymous	Former State Legislator	Illinois Legislature

Category 3: Experts

Name	**Position**	**Affiliation**

Alison Dreith	Deputy Director; Board Member; Former Executive Director	Hope Clinic for Women; Missouri Family Health Council; NARAL Pro-Choice Missouri
Allison Cowett	Co-Medical Director; Health Systems Clinician	Family Planning Associates Medical Group; Department of Obstetrics and Gynecology Northwestern University, Feinberg School of Medicine
Lee Hasselbacher	Senior Policy Researcher	Ci3 at the University of Chicago
Paul Linton*	Former Special Counsel; Former General Counsel	Thomas More Society; Americans United for Life
Anonymous	Abortion Provider	Abortion Provider

* = pro-life affiliation

$^{+}$ = interviewee answered general interview questions

Appendix C: Interview Protocols

Specific Interview Protocol

Branch 1: Establishing Interviewee Knowledge and Role

- How did you first become aware of or become involved with IL HB 40?
- What was your role (if any) in the passage of IL HB 40?
- Who were the main players in the legislative process of IL HB 40?

Branch 2: Understanding the Passage of IL HB 40

- What factors contributed to the passage of IL HB 40?
- What factors hindered or slowed down the progress to passing IL HB 40?
- How could the process of passing IL HB 40 have been easier?

Branch 3: Understanding the Impact of IL HB 40

- What effects (if any) did passing IL HB 40 have on the Illinois legislature?
- How do you think the passage of pro-choice legislation in one state impacts abortion related legislation in other states?
    - What were the impacts (if any) of IL HB 40 specifically on other states legislatures?

Follow up questions may vary depending on participant response

General Interview Protocol

Branch 1: Introduction

- What is and has been your role in the abortion rights movement in the US and in Illinois in particular?

Branch 2: Abortion Policy Processes in State Legislatures

- In general, how is pro-choice policy introduced and passed in state legislatures in the US? In Illinois specifically?
    - *Follow up: Who are the key players? What helps and hinders the process?*
    - *Follow up: What strategies are most successful? What strategies are least successful?*
- How is anti-choice abortion policy introduced and passed in state legislatures?
    - *Follow up: Who are the key players? What helps and hinders the process?*
    - *Follow up: What strategies are most successful? What strategies are least successful?*

Branch 3: Impact of State Abortion Legislation

- How do you think the passage of abortion legislation in one state impacts abortion related legislation in other states?
- In particular, what are the impacts in other states of passing pro-choice legislation in Illinois?

Branch 4: Understanding the Impact of IL HB 40 *(applicable if interviewee has background knowledge on IL HB 40)*

- What effects (if any) did passing IL HB 40 have on the Illinois legislature?
- What were the impacts (if any) of IL HB 40 on other states? On abortion-related policymaking in other states?

Follow up questions may vary depending on participant response

Appendix D: Information Sheet on HB 40

Study Number: IRB19-1381
Study Title: Nixing the Trigger on Choice: An Investigation into the Passage of Illinois House Bill 40
Researchers: Charlie Rollason and Sorcha Brophy

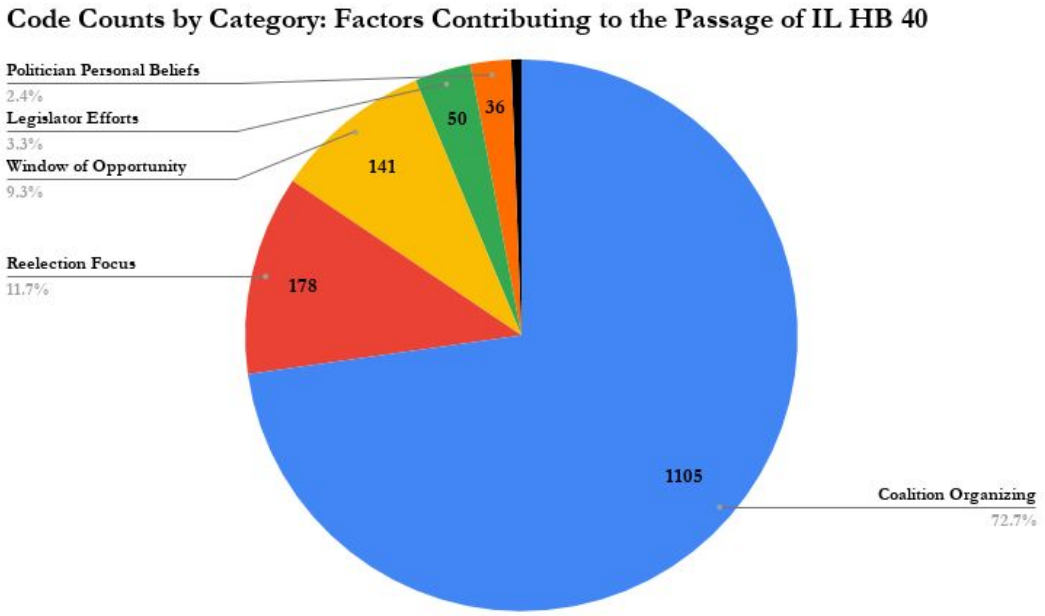
Information Sheet

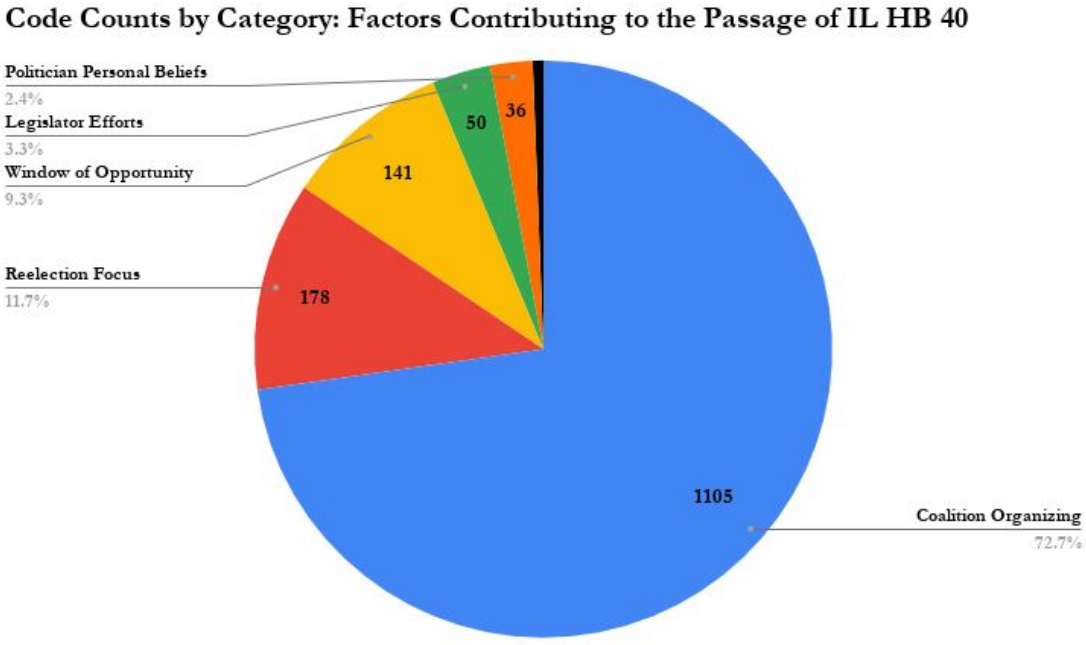
Illinois House Bill 40

Illinois State Representative Sara Feigenholtz (D-Chicago) introduced Illinois House Bill 40–also known as IL HB 40–to the Illinois General Assembly on January 11th, 2017. By striking a "trigger provision" in Illinois state law that rendered abortion illegal under an overturned *Roe v. Wade*, IL HB 40 would serve to defend a person's right to choose in Illinois regardless of federal court rulings. Additionally, HB 40 would expand Medicaid and state employees' health insurance to cover all abortion care–not just those in cases of rape or incest–in Illinois.

IL HB 40 passed the Illinois House by a vote of 62-55 in April of 2017 and the Illinois Senate by a vote of 33-22 in May of 2017. Illinois Governor Bruce Rauner first pledged to veto IL HB 40 in April 2017 but then signed it into law months later in September 2017.

Appendix E: HB 40 Interviews Codebook Pie Charts





Appendix F: HB 40 Interviews Codebook Breakdowns

HB 40 Codebook Breakdown:

Factors Contributing to the Passage of Illinois House Bill 40

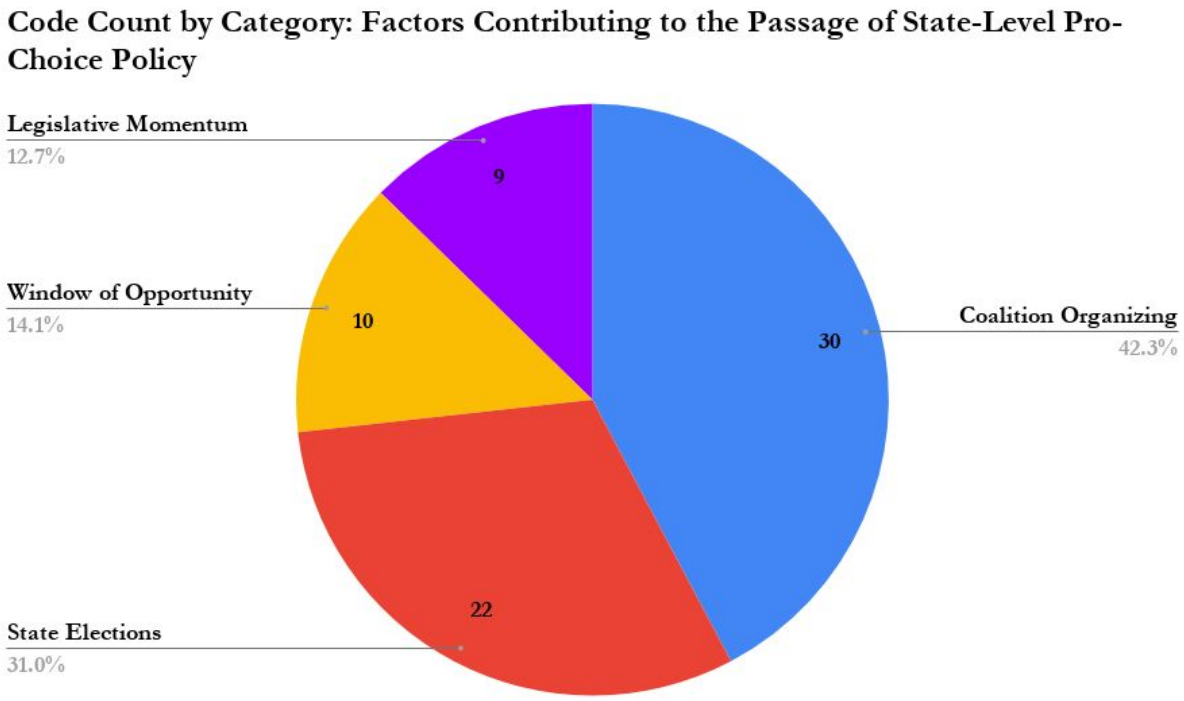
Coalition Organizing	Code Count = 1105
Planning and Organization	31.67 %
Consistent Communication	24.43 %
Increased Constituent Contact	17.01 %
Political Group Pressure	15.48 %
Ground Informed	11.40 %
Reelection Focus	Code Count = 178
Rauner Democratic Bloc	48.88 %
Credible Threat for Challenger	26.40 %
Madigan's Double-Bind Strategy	23.03 %
Safe Vote With Veto Threat	1.69 %
Window of Opportunity	Code Count = 141
The Election of Donald Trump	43.97 %
Public Momentum	25.53 %
Organizational Momentum	12.06 %
Supreme Court	9.22 %
Concern for Other States	9.22 %
Legislator Efforts	Code Count = 50
Pro-Choice Legislator Leadership	54.00 %
Legislator Conversations	32.00 %
Joint Effort by Politicians	14.00 %
Politician Personal Beliefs	Code Count = 36
Limited Pro-Life Organizing	Code Count = 9

HB 40 Codebook Breakdown:

Roadblocks to the Passage of Illinois House Bill 40

Reelection Focus	Code Count = 163
Politician Lack of Urgency	43.56 %
Pro-Life Republican Identity	28.22 %
Rauner Indecision	22.70 %
2016 Governor Race	5.52 %
Pro-Life Organizing	Code Count = 110
Political Group Pressure	35.45 %
Messaging	25.45 %
Communication	23.64 %
Constituent Contact	15.45 %
Pro-Choice Challenges	Code Count = 79
Government Makeup	49.37 %
Uneducated Public	22.78 %
Pro-Choice Framing	11.39 %
Limited Organizational Resources	8.86 %
Reimbursement Concerns	7.59 %
Legislator Efforts	Code Count = 67
Republican Political Strategy	76.12 %
Pro-Life Legislator Leadership	23.88 %

Appendix G: General Interviews Codebook Pie Chart



Appendix H: General Interviews Codebook Breakdown

General Codebook Breakdown:

Factors Contributing to the Passage of State-Level Pro-Choice Policy

Coalition Organizing	Code Count = 30
Coalitional Strategy	43.33 %
Coalitional Cohesion	33.33 %
Diversity	23.33 %
State Elections	Code Count = 22
Need Enough Dem Votes	36.36%
Elect a Pro-Choice Base	31.82 %
Elect People Most Impacted	31.82 %
Window of Opportunity	Code Count = 10
Legislative Momentum	Code Count = 9

Appendix I: Signs from the 2017 Women's March of Chicago

Appendix J: Rauner's 2014 Personal PAC Questionnaire Responses

Personal PAC

2014 ILLINOIS GUBERNATORIAL

CANDIDATE QUESTIONNAIRE*

* Failure to return this completed questionnaire will result in our assuming your opposition to ALL our positions on reproductive matters.

Candidate Name: Bruce Rauner Political Party Affiliation: Republican

Home Address: [redacted] Home Phone: (____)_____-_____

Office Phone: (____)_____-_____

Campaign Address: [redacted] Campaign Phone: [redacted]

Campaign Fax: (____)_____-_____

Email Address: [redacted] Website: www.brucerauner.com Cell Phone: [redacted]

Section 1: Do you SUPPORT the following?

A 1975 Illinois Law (*Illinois Abortion Law of 1975*: P.A. 81-1078) states that when the 1973 Supreme Court *Roe v. Wade* decision is overturned or modified, Illinois law will revert back to its pre-*Roe* status, meaning abortion will again become illegal in Illinois as it was prior to 1973.

1. Will you **SIGN** legislation repealing this 1975 law and replacing it with a law stating that decisions about reproductive matters are to be made privately between a woman and her doctor, without government interference? YES ☒ NO ☐

Mandatory parental notification or consent before a minor may obtain an abortion can be a very difficult personal issue at first glance, for parents and legislators alike. Parents want to be involved in every aspect of their teens' lives but good family communication is not something that can be legislated. In states where mandated parental involvement has been enacted, the documented results are not a decrease in teen pregnancy. Instead, parental notice and parental consent laws cause delays in services with serious health consequences. More teenagers have abortions later in pregnancy because they delay telling their parents; and in some cases, teenagers have died at their own hands, of a self-induced or illegal abortion, or at the hands of a parent who has committed incest.

Because it is important to protect the health and lives of teenagers in crisis situations, nearly every respected medical and public health organization in the U.S. is now on record opposing parental notification and consent laws, recognizing that judicial-bypass provisions do virtually nothing to help young women and result in larger court backlogs. These organizations include the American Medical Association, American College of Obstetricians & Gynecologists, American Public Health Association, American Academy of Pediatrics, American Psychological Association, American Academy of Child & Adolescent Psychologists and the Society of Adolescent Medicine & Nurses Association of the American College of Obstetricians & Gynecologists. A recent study in Texas showed that many pregnant 17 year olds are postponing their abortions for weeks or longer until their 18th birthday to avoid the parental notice law there. Other teenagers are now going to the internet where there is no shortage of predators who will take their money and promise drugs to terminate a pregnancy, making the internet the new "back-alley" with illegal and dangerous abortion information for frightened teens seeking to escape parental notice laws.

On June 29, 2007, New Hampshire repealed its "Parental Notice of Abortion" law, recognizing that such laws are completely unworkable, waste tax-payers money, and only result in horrible consequences for teenagers who cannot consult their parents. In signing the repeal law, New Hampshire Governor John Lynch stated, "I strongly believe parents should be involved in these decisions, providing important support and guidance. Unfortunately, that is not possible in every case."

2. Will you **SIGN** legislation to repeal Illinois' 1995 Parental Notice of Abortion law? YES ☐ NO ☒

3. Do you **SUPPORT** the 2013 Illinois law that requires all public schools to teach medically accurate, age appropriate, comprehensive sexuality health education, which includes abstinence and allows parents to remove their children from classes if they do not wish YES ☒ NO ☐

them to participate?

In 2001, Illinois passed a law requiring all hospital emergency rooms, including those religiously affiliated, to give victims of sexual assault who seek services at the hospital information about emergency contraception or Plan B, also known as "the morning after pill." Plan B is NOT an abortion pill. During the debate on this bill, some religious organizations claimed they would be forced to close their hospitals and the requirement of the law would force their doctors and nurses to quit their jobs. To illustrate their opposition, these religious organizations also made the false claim that emergency contraception, taken within 96 hours of unprotected sex and prior to conception ever occurring, is the same as an abortion and carries the exact objection as performing an abortion. To date, as a result of this law, not a single hospital has closed and not a single health care professional has been forced to compromise her / his religious beliefs. Every U.S. medical association recognizes and supports "notice and referral" (giving prior notice that the provider has an objection to certain medical procedures and referring to someone who does not have an objection) as an essential element of patient care while respecting health care professionals' right to object to any medical procedure.

4. Will you **SIGN** legislation that would require health care professionals, who have a conscientious objection to a medical treatment or procedure, to provide medically accurate information and timely referrals to patients seeking the treatment or procedure? **YES ☒ NO ☐**

Medicaid covers a wide range of medical services, including pregnancy-related services. In 1977, Illinois singled out abortion as a medical procedure no longer covered under Illinois' Medicaid programs. In 1994, under court order, Illinois began paying for abortions that are medically necessary to protect a woman's health. Denying Medicaid funding for abortion costs both taxpayers and families. Approximately three-quarters of the women who are denied Medicaid funding for abortion have one anyway, usually at great sacrifice to themselves and their families. Many use their rent or grocery money, which means their families must do without basic necessities. Sometimes, because it takes time to secure the money, the woman has to obtain an abortion at a later stage, when the procedure is even more expensive and poses a greater risk to her health. Some resort to an illegal or self-induced abortion, risking their lives. The cost of a first trimester abortion is approximately 68% of the basic monthly grant for a family of three.

5. Will you **SIGN** legislation restoring abortion coverage under the state Medicaid plan? **YES ☒ NO ☐**

6. Will you **SIGN** legislation to restore state employees' health insurance coverage for abortion? **YES ☒ NO ☐**

Crisis Pregnancy Centers (CPCs) exist to keep women from having abortions. In many instances, they achieve this goal by misinforming, misleading, and intimidating women. Women describe being harassed, bullied, and given blatantly false information. Many assert that their confidentiality has been violated, and that mistreatment by CPCs has threatened their health. By and large, CPCs are not medical facilities, and most CPC volunteers who work directly with women are not medical professionals. Their main qualifications are a commitment to anti-choice beliefs. Although CPCs historically have not employed medical staff, there is an emerging trend on the part of CPCs to gain validity by purchasing ultrasound equipment.

CPCs advertise through posters, signs, and billboards that contain messages like, "Free Pregnancy Test," or "Pregnant? Scared? We Can Help! Call 1-800 #," that target young and frightened women. Most CPCs do not mention anywhere on their websites that they will not provide or make referrals for abortions or birth control, but instead claim to provide a "nonjudgmental environment" where "each option" can be explored. The whole purpose of CPCs is to mislead women with false information about pregnancy, birth control, and abortion.

7. Will you **SIGN** legislation that, while protecting the Constitutional guarantees of free speech and association, requires "crisis pregnancy centers" (CPCs) to inform women that they do not provide birth control and abortion services or referrals AND requires CPCs to provide women with medically accurate information? **YES ☒ NO ☐**

8. Do you **SUPPORT** the Illinois law requiring health insurance plans to cover contraception equally with all other prescription medications? **YES ☒ NO ☐**

9. Do you **SUPPORT** the Illinois law requiring all hospital emergency rooms to offer information about emergency contraception to sexual assault survivors? **YES ☒ NO ☐**

Section 2: Do you OPPOSE the following?

In 1973, the Supreme Court ruled in *Roe v. Wade* that the decision to have an abortion is a private one to be made by a woman, in consultation with her physician, without government interference. Since 1973, the Illinois General Assembly has either passed or attempted to pass numerous bills which seek to dangerously restrict access to abortion.

10. If the Illinois General Assembly were considering legislation to criminalize nearly all abortions, would you **VETO** this legislation? **YES ☒ NO ☐**

11. Do you **OPPOSE** amending the Illinois Constitution to criminalize abortion in Illinois? **YES ☒ NO ☐**

Recently, due to increased restrictions on access to abortion imposed by federal and state laws, desperate women are resorting to self-induced abortions – and being charged with crimes. The back-alley abortion is returning for young, poor, and rural women who bear the tragic impact of laws that restrict access to abortion. As a result of criminal prosecution for a self-induced abortion, women are being jailed.

12. Will you **VETO** legislation imposing criminal penalties and jail sentences for women who seek illegal or self-induced abortions? **YES ☒ NO ☐**

    12a. If not in opposition to criminal penalties, please state the number of years a woman should serve in jail for having an abortion: _____

Recently, legislators have, for political reasons, taken it upon themselves to tell physicians how to practice medicine, forcing doctors to put aside their best judgment and opt for inferior medical procedures which put the health and lives of women at risk.

13. Will you **VETO** legislation allowing the government to decide what medical care a physician may provide to patients during pregnancy? **YES ☒ NO ☐**

14. Will you **VETO** legislation that places restrictions on abortion procedures but without including an exception to protect the woman's health? **YES ☒ NO ☐**

Many anti-choice organizations perform ultrasounds on women as a tool to scare and intimidate them from choosing abortion. Often these ultrasounds are performed without any medical supervision. Because of concerns for safety, the Federal Food and Drug Administration, American Institute of Ultrasound Medicine, and the American College of Radiology Board of Chancellors oppose the practice of performing ultrasounds without medical supervision. Both California and Texas have taken action to ensure that medical supervision is provided when performing an ultrasound on a pregnant woman.

15. Will you **VETO** legislation that dictates how and when a physician must offer or perform an ultrasound prior to performing an abortion? **YES ☒ NO ☐**

16. Do you **OPPOSE** the use of ultrasound by non-medical professionals? **YES ☒ NO ☐**

In its ongoing assault on reproductive rights, the anti-legal abortion movement has hijacked the issue of stem cell research for political purposes. Not unlike its opposition to all forms of artificial birth control and its opposition to emergency contraception for rape victims, the anti-abortion movement is using opposition to stem cell research to establish as public policy (versus privately held religious doctrine) that human "life" begins at conception.

17. Will you **VETO** legislation banning embryonic stem-cell research? **YES ☒ NO ☐**

It is estimated that up to half of all unintended pregnancies and abortions can be prevented through greater access to Emergency Contraceptives (EC). EC is not an abortion drug. It is a safe, effective, FDA approved method of preventing pregnancy after unprotected intercourse. Since EC must be taken within a limited time period to be effective, and because the sooner it is taken the more effective it is, it is imperative that women have quick access to the medication. Unfortunately, some women are forced to waste precious time because their access to EC is impeded by the requirement of obtaining a prescription from a physician or by pharmacists who refuse to dispense the medication. Under many circumstances, these delays cause women to miss the window of opportunity and risk unintended pregnancy.

18. Do you **OPPOSE** legislation or regulations that would rescind or allow exceptions to the Illinois regulations requiring that pharmacies fill prescriptions for FDA approved medications, including contraceptives? **YES ☒ NO ☐**

19. Will you **VETO** legislation that would allow pharmacies and / or pharmacists to refuse to fill prescriptions and send customers away without being served? **YES ☒ NO ☐**

20. Will you **VETO** legislation that would allow employers to exclude contraceptive coverage from their employees' health insurance plans? **YES ☒ NO ☐**

21. Will you **VETO** legislation that would ban state funding for Planned Parenthood? **YES ☒ NO ☐**

22. Will you **VETO** legislation banning coverage for abortion care in insurance plans under the new Illinois Health Insurance Exchange? **YES ☒ NO ☐**

23. Will you **VETO** legislation banning contraceptive coverage in insurance plans under the new Illinois Health Insurance Exchange? **YES ☒ NO ☐**

If you answered "No" to Question #23, please answer the following question.

23a. If you **SUPPORT** banning contraceptive coverage in health insurance plans, do you then also **SUPPORT** banning coverage for Viagra and other erectile dysfunction drugs from health insurance plans? **YES ☐ NO ☐**

Section 3: Reproductive Health & Access Act (RHAA)

The proposed Reproductive Health & Access Act is a comprehensive approach to addressing a wide range of basic reproductive health care needs throughout the continuum of a woman's reproductive life, including access to prenatal care, family planning, adoption, honest sexuality education, and having the ability to carry a pregnancy to term or to terminate a pregnancy, in accordance with accepted standards of medical practice, without interference from government. Decisions about reproductive health care are private, and should be made by a woman, in consultation with her doctor, in accordance with her personal beliefs and values, and not government. In addition, the RHAA, with its emphasis on prevention through access to comprehensive sexuality health education, family planning, and emergency contraception, will dramatically reduce the rates of teenage pregnancy, STD / HIV, and abortion in Illinois.

24. Will you **SIGN** the Reproductive Health & Access Act?) **See Attached Sheet** **YES ☐ NO ☒**

25. If you **OPPOSE** the Reproductive Health & Access Act, please explain your ideas (policies, programs, proposed laws) to reduce the abortion, teenage pregnancy and STD / HIV transmission rates in Illinois. **See Attached Sheet** ***WRITE BELOW OR ATTACH SHEET***

Section 4: Support For A Pro-Choice Illinois

In many other state legislatures, pro-choice legislators have made protecting the fundamental right to make reproductive decisions privately and without government interference a top legislative priority. Most often, this firm belief in protecting women's lives and health has resulted not only in how votes are cast, but in the expression to the political leadership of conditional support for an agenda based on guarantees that abortion rights will be protected from further attacks. These attacks, of course, are always made on the most vulnerable – young, poor, rural, and now, women whose health would be jeopardized by carrying a pregnancy to term.

26. Do you agree with the separation of church and state and if so, do you also agree that your religious beliefs and/or religious affiliations will not prevent you from acting to protect reproductive rights in any and all proposed legislation involving women's health care and/or reproductive decisions? **YES ☒ NO ☐**

27. Do you believe that being a pro-choice elected official means supporting **ALL** legislation that seeks to maintain, affirm, and expand access to reproductive health care? **YES ☐ NO ☒**

28. Do you believe that being a pro-choice elected official means opposing **ANY** legislation that seeks to limit, reduce, or eradicate access to reproductive health care? **YES ☒ NO ☐**

29. Will you diligently express to Legislative Leaders the importance of promoting a pro-choice agenda, including not allowing any anti-choice bills to receive consideration on the House and Senate floor? **YES ☐ NO ☒**

30. What role will you play in protecting pregnant teenagers in Illinois from dangerous restrictions on their reproductive health, such as the misnamed 1995 "parental notice of abortion" law? **See Attached Sheet** ***WRITE BELOW OR ATTACH SHEET***

31. What will be your highest priorities, if any, concerning issues of reproductive health? **See Attached Sheet** ***WRITE BELOW OR ATTACH SHEET***

32. If elected do you plan to act **IN ACCORDANCE** with your answers to the above questions? **YES ☒ NO ☐**

I, **Bruce Rauner**, candidate for **Governor**, state that I personally drafted or approved these responses, which represent my true beliefs on the aforementioned issues.

Candidate Signature: _____ Date: 4/25/14

(Must be signed by candidate herself / himself)

Return To: [redacted]

*** Failure to return this completed questionnaire will result in our assuming your opposition to ALL our positions on reproductive matters.**

Personal PAC Questionnaire Additional Comments

Question 24
My opposition to the current Reproductive Health and Access Act is based on the inclusion of a rollback of parental notification requirements.

Questions 25, 30 and 31
I fundamentally believe that abortion should be a woman's private decision, hopefully in consultation with her loved ones and her faith community, and that this decision should not be impeded by government. This principle should apply to all women, regardless of income level or location of residency. As governor, I will work to ensure equal access to contraception and abortion services. It is my hope that by increasing access to reproductive health services we can reduce the incidence of abortions in Illinois, while ensuring that women who do make this decision receive services in a timely manner.

My highest priority in this area will be to ensure effective administration of the laws regarding access to contraception and provide that access regardless of income. I dislike the Illinois law that restricts abortion coverage under the state Medicaid plan and state employees' health insurance because I believe it unfairly restricts access based on income. I would support a legislative effort to reverse that law.

I do not support repeal of Illinois' Parental Notice of Abortion law. I acknowledge the need for confidentiality in adolescent health issues and recognize that this law restricts access to abortion in some cases. However, there are numerous areas of public policy in which the law uses a different standard for minors, and I believe those different standards are often sensible, given the vital role that parents or other adults play in the lives of minors. That said, I welcome the opportunity to learn more about this and other reproductive health issues from Personal PAC and other organizations.

Appendix K: April 2017 Personal PAC Press Release

FOR IMMEDIATE RELEASE
Sunday, APRIL 23, 2017

Contact:
Terry Cosgrove
[redacted]

PERSONAL PAC RELEASES NEW STATEWIDE POLL

Governor Rauner wrong about voters' views on abortion

Chicago…Today, Personal PAC released the results of a statewide poll it recently conducted showing that Governor Rauner is completely out of step with the vast majority of Illinois voters on the issue of abortion.

73% percent of Illinois voters believe abortion should be a private decision between a woman and her doctor versus 20% who do not, making the margin of difference 53%. 7% were not sure. Among these voters, 58% of them are Republicans, 86% are Hispanic/Latino, 71% are White, and 83% are African American, with strong support across all age groups, 85% of 18-29 year-olds and 70% of those older than 65. Of people living outside the Collar Counties & Chicago/Cook County, 65% agree with this statement versus 27% who disagree.

On the question of whether Governor Rauner should protect the reproductive health care of ALL women, 64% agree and 24% disagree, with 12% undecided. 47% of Republicans agree as do 75% of Hispanic/Latinos, 60% of White voters and 74% of African Americans, 57% of those older than 65.

One of the most encouraging and fascinating results is that among 18-25 year-olds, 83% agree that Governor Rauner should protect the reproductive rights of ALL women which is almost identical to the 85% who believe abortion should be safe and legal in Illinois. This age cohort clearly understands that being pro-choice means supporting access for all women and their families. Translation: A choice without the means to exercise that choice is meaningless.

On the question of being more or less likely to vote for Governor Rauner if he DOES NOT PROTECT the reproductive health care of ALL women, 46% are less

likely to vote for him while 20% are more likely to vote for him, with 28% making no difference and 5% not sure. 21% of Republicans and 47% of Independent voters are less likely to vote for him when asked this question.

Only 35% of Republicans would be more likely to vote for him and to 39% of Republicans it makes no difference. Among all Republicans on this question, fully 64% are either less likely to vote for Governor Rauner (21%), it doesn't make a difference (39%), or they are not sure (4%).

43% of voters living outside the Collar Counties and Cook County/Chicago are less likely to vote for Rauner if he doesn't support the reproductive rights of all women.

Men and women are equally supportive of abortion rights and access for all women. 75% of men and 72% of women want abortion to be legal in Illinois. 65% of women and 63% of men think Governor Rauner should act to protect all women. 48% of women and 45% of men are less likely to vote for Governor Rauner if he does not act to protect the reproductive health care of all women.

The results of this poll make it abundantly clear that Governor Rauner is on the wrong side of every demographic in the State of Illinois on the issue of abortion rights and access to reproductive health care for all women.

Yesterday, Governor Rauner stated that he will veto HB 40 because the issue is "too 'divisive' and "controversial.'" However, this poll points to the truth: Governor Rauner is the one who is too divisive and controversial; not the protections for women contained in HB 40 that he now opposes. It would be quite simple for Governor Rauner to take all that "focus" he has and spend just five seconds of his valuable time to place his signature on HB 40 to make it the law in Illinois.

Signing HB 40 is what the people of Illinois want Governor Rauner to do and expect of him, not only in this poll, but what he promised to do in writing in 2014 by stating, "As Governor I will work for equal access to contraception and abortion services." "I dislike the law that restricts abortion coverage under the state Medicaid plan and state employees' health insurance because I believe it

unfairly restricts access based on income. I would support a legislative effort to reverse that law."

The people of Illinois agree with your 2014 statement Governor Rauner. HB 40 is the "legislative effort to reverse that law."

The poll was conducted by Public Policy Polling April 17-18, 2017 among 855 registered voters statewide. 80% of the respondents were reached by land line phones and 20% were cell phone users.

Appendix L: Coalition Fact Sheet for IL HB 40

SUPPORT HB40

ENSURE THAT ILLINOIS ALLOWS FULL ACCESS TO REPRODUCTIVE HEALTH CARE

Sponsors: Feigenholtz, Welch, Ammons, Arroyo, Currie, Stratton, Tabares, Jones, Sente, Williams, Hernandez, Harris, Lang, Fine, Gabel, Mah, Lilly, Drury, Cassidy, D'Amico, Guzzardi, Martwick, Soto, Andrade

HOUSE BILL 40 STRIKES A DANGEROUS "TRIGGER" PROVISION IN THE ILLINOIS ABORTION LAW AND AFFIRMS THAT ILLINOIS WILL NOT GO BACK TO THE PRE-ROE DAYS OF ILLEGAL ABORTION.

By removing the anti-choice "trigger" language from the 1975 Act, HB 40 ensures that women's health care will be protected in Illinois, regardless of what happens to the Supreme Court in a Trump administration. There is simply too much risk.

HB 40 REMOVES DISCRIMINATORY PROVISIONS FROM ILLINOIS LAW THAT DENY INSURANCE COVERAGE OF ABORTION TO MANY WOMEN WHO DEPEND ON MEDICAID AND STATE EMPLOYEE HEALTH INSURANCE.

Every woman, regardless of whether she has private or government-funded health insurance, should have affordable and comprehensive health care coverage that includes coverage for abortion care, so she can make personal health decisions based on what is best for her and her family.

STATE EMPLOYEE HEALTH INSURANCE	MEDICAID
• Aside from a narrow life exception, Illinois law bans abortion coverage from non-contributory (employers cover 100 percent of the premium payments) state employee health plans. • Under current policy, state employees and their dependents are often denied coverage for reproductive health care that is commonly available to those who get their insurance in the private sector, including denials of coverage for medically necessary abortions or those required because of lethal fetal anomalies	• Medicaid has restricted the use of federal funds for abortion coverage to cases of life endangerment, rape or incest under what is known as the "Henry Hyde Amendment." Under this policy, health care providers are often deterred from taking Medicaid as a form of payment, because of the confusing web of exceptions and restrictions that apply. • The "Henry Hyde Amendment" is not good policy. Health programs for women with low incomes should cover birth control, childbirth AND abortion care. All women, regardless of income should have the same right to decide if and when to have children. • Illinois should join the 15 states that use state funds to provide women with health assistance funds that cover the full range of pregnancy-related care, including a woman's decision to end a pregnancy. In this time of budget crisis, it is important to note that this bill would have zero cost for the Department of Healthcare and Family Services (DHFS).

HB 40 RESPECTS THAT INDIVIDUALS AND THEIR FAMILIES NEED TO MAKE THEIR OWN LIFE DECISIONS

When it comes to the most important decisions in life, like whether to become a parent, it is vital that a woman is able to consider all the options available to her. It is not our place to interfere with her decision by withholding coverage. HB 40 is common sense policy that supports a woman's personal health care decisions.

For more information contact: Khadine Bennett: [redacted] or Brigid Leahy: [redacted]

[1] These 15 states have policies that allow state Medicaid funds to cover abortion services: AK, CA, CT, HI, MD, MA, MN, MI, NJ, NM, NY, OR, VT, WA, WV.

SUPPORT HB40

ENSURE THAT ILLINOIS ALLOWS FULL ACCESS TO REPRODUCTIVE HEALTH CARE

Sponsors: Feigenholtz, Welch, Ammons, Arroyo, Currie, Stratton, Tabares, Jones, Sente, Williams, Hernandez, Harris, Lang, Fine, Gabel, Mah, Lilly, Drury, Cassidy, D'Amico, Guzzardi, Martwick, Soto

SUPPORTING ORGANIZATIONS

ACLU of Illinois
AIDS Foundation of Chicago
American Association of University Women
Arab American Family Services
Chicago Foundation for Women
Equality Illinois
EverThrive Illinois
Illinois Caucus for Adolescent Health
Illinois Choice Action Team
Illinois NOW
Illinois Public Health Association
McHenry County Citizens for Choice
Men4Choice
Mujeres Latinas en Accion
National Association of Social Workers
National Coalition of American Nuns
National Council of Jewish Women Illinois State Policy Advocacy Network
Personal PAC
Planned Parenthood of Illinois

For more information contact: **Khadine Bennett:** [redacted] or **Brigid Leahy:** [redacted]

Appendix M: Calls to Action for HB 40 on CallBullshitIllinois.org

#CALLBULLSHIT PERSONAL PAC MEN4CHOICE

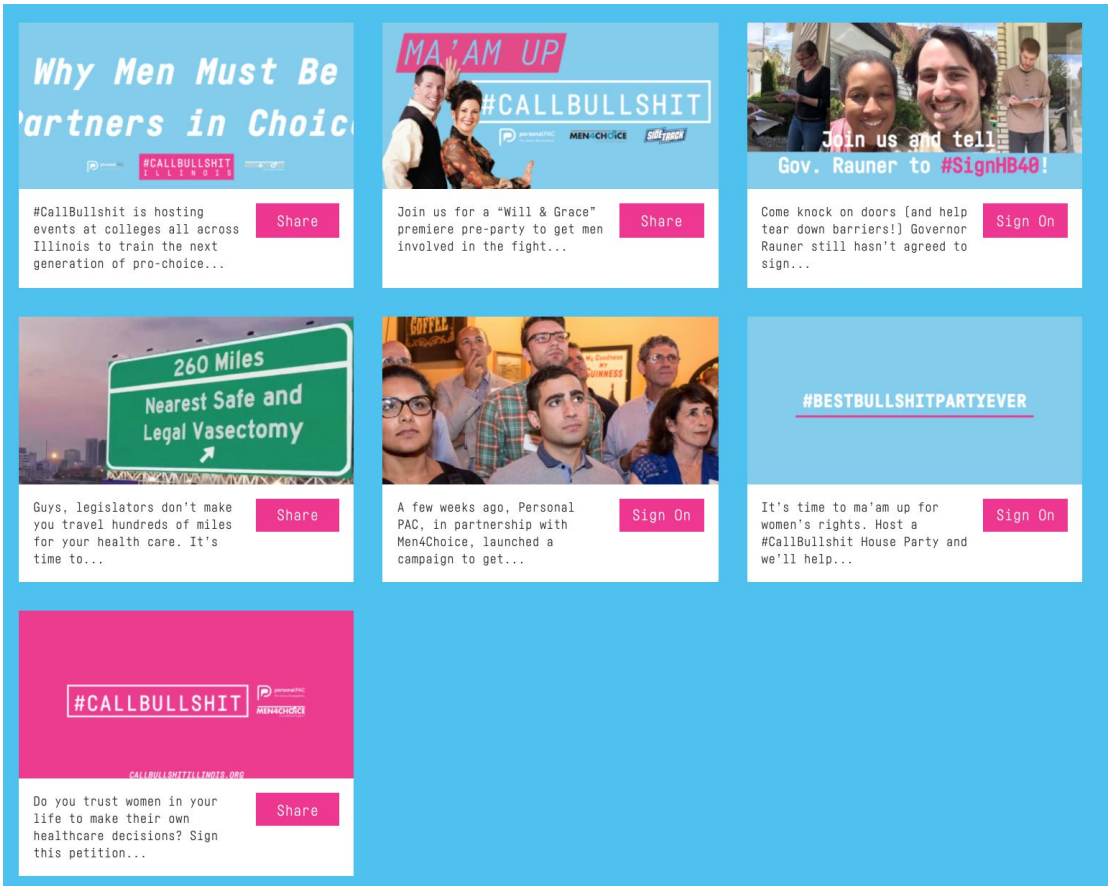
Issues Take Action About Us Shop Donate

TAKE ACTION

Women have been fighting this battle for decades. Now`s the time for more men to get off the sidelines, join them on the field and actively participate with women in the fight for their reproductive rights.

First we have to CallBullshit on misogynistic and women-shaming politics [and politicians], and then we have to spring into action – knocking on doors, making phone calls, and writing checks. Working together, we can one put an end to this bullshit.

Publish. Post. Share. Contribute. #CallBullshit in all the ways you can.



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