



NARAL
Pro-Choice Virginia

2012-2013 Virginia Legislative Voting Record on Choice

Your Guide to Virginia Lawmakers' Votes on Reproductive Health and Rights



2012 & 2013 Sessions at a Glance

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11 bills attempting to restrict Virginians' reproductive freedoms were blocked!

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2 anti-choice bills passed.

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12 pro-choice bills introduced to protect birth control in Virginia law, repeal 2012's mandatory ultrasound law, mitigate dangerous TRAP regulations, and more.

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31 Delegates earned a 100% pro-choice rating.

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56 Delegates earned a 0% pro-choice rating

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19 Senators earned a 100% pro-choice rating.

.....

16 Senators earned a 0% pro-choice rating.

Dear Friend of Choice,

NARAL Pro-Choice Virginia is proud to release our **2012-2013 Virginia Legislative Voting Record on Choice**. Please use this scorecard as your go-to source of information on the status of reproductive rights in Virginia and to hold your legislators accountable for their votes over the past two sessions — especially during this critical election year!

It has been over a year since the 2012 session's wave of egregious legislative attacks on women's rights catapulted the Commonwealth into the national spotlight. NARAL Pro-Choice Virginia was so proud to work with thousands of activists like you across the state to change the conversation on reproductive health—and it is obvious that so many Virginians are still more engaged, fired up, and active on choice than we've seen in decades!

During the 2013 session, we worked extensively with our pro-choice champions in the Virginia House and Senate to advocate for a record-breaking **10** pro-choice bills, including legislation to repeal targeted hospital-style regulations on abortion providers, to protect birth control access in the Commonwealth, and to repeal Virginia's current mandatory ultrasound and 24-hour delay requirements. Our pro-choice legislators fought tirelessly to turn back Virginia's anti-choice tide, and we are so grateful for their hard work on behalf of every Virginia woman and her family!

Unfortunately, despite the valiant efforts of our pro-choice legislative allies and our activists, the House and Senate's anti-choice majorities effectively squashed every single pro-choice bill in committee by "passing them by indefinitely." They actually refused to give many bills a full hearing or even take recorded votes. Thankfully, at the same time we were able to stop **six** insidious anti-choice bills during the regular session, including legislation to restrict insurance coverage for birth control, ban abortion, and repeal abortion coverage for low-income women facing severe fetal anomalies.

The worst attack on choice this year came in the form of a last-minute amendment introduced by Governor McDonnell. His extreme abortion coverage ban measure was added after the conclusion of the regular session to bills dealing with Virginia's implementation of the Affordable Care Act. It will prohibit Virginian women from purchasing a comprehensive private health insurance plan that includes abortion coverage through the exchange — even with their private money! Shockingly, despite enormous public outrage, the amendment was passed by the Senate in a heartbreaking **19-20** vote.

Regardless of the legislative outcomes this session, we know that our biggest fight is still ahead: the 2013 statewide elections. This year is absolutely critical for the future of reproductive rights in Virginia. With this scorecard, I hope you'll help us educate Virginians on what's at stake and how they can help us stop the war on women here at home. Thank you for standing with us!

For Choice,

Tarina Keene
Executive Director



2013 Scored Bills

Virginia Senate and House of Delegates

- **Governor McDonnell's Amendment to HB 1900—Health insurance reform; revises state laws. *Del. Rust (R-86)***
Governor McDonnell waited until the last possible moment in the 2013 legislative session to introduce an amendment to HB 1900 and SB 921, bills relating to Virginia's participation in the Affordable Care Act federal health benefits exchange. His extreme amendment prohibits Virginians from purchasing a comprehensive health insurance plan that includes abortion coverage -- a standard benefit currently included in the majority of private health care plans. Although state employees and other Virginians who get their health insurance through the government already have their coverage for abortion care unjustly restricted, this amendment expands these unfair restrictions even further, and can prevent women from purchasing comprehensive health care with their own private money. Shockingly, this amendment was approved by the House of Delegates in a vote of 55-37, and passed by the Senate in heartbreaking 19-20 split. As a result, an estimated 50,000 Virginia women will be barred from basic reproductive health care coverage.

Senate Committee on Education and Health

- **SB 783 Birth Control; definition. *Del. McEachin (D - 9)****
Under current law, Virginia does not distinguish between FDA-approved methods of contraception and abortion. In absence of a statutory definition, there have been several anti-choice attempts to blur the lines between contraception and abortion, as well as limit access to family planning services under the code section relating to abortion. In order to protect birth control from legislative overreach, SB 783 attempted to define birth control in the Code of Virginia, stating that "Birth control" means contraceptive methods that are approved by the U.S. Food and Drug Administration— and making it clear that birth control shall not be considered abortion. Unfortunately, this basic bill was "passed by indefinitely" in a vote of 8-7 by the Senate Committee on Education and Health.
- **SB 1082 Abortion; removes requirement that a woman undergo trans-abdominal ultrasound prior to procedure. *Sen. Favola (D-31) & Sen. Northam (D-6)****
SB 1082, co-sponsored by Sen. Barbara Favola and Sen. Ralph Northam, sought to undo the damage inflicted by 2012's forced ultrasound law. Specifically, SB 1082 attempted to remove the requirement that Virginia women undergo medically-unnecessary transabdominal ultrasounds prior to accessing their constitutional right to an abortion. Unsurprisingly, this bill was defeated in the anti-choice Senate Ed. and Health committee by a vote of 8-7.
- **SB 1115 Hospitals; classification of certain facilities in which abortions are preformed. *Sen. Herring (D-33)****
SB 1115 was another pro-choice attempt to roll back dangerous anti-choice policies recently enacted by the Virginia General Assembly. SB 115 would have eliminated language classifying first-trimester abortion clinics as hospitals, and therefore prevent them from being forced to close due to onerous and unnecessary TRAP regulations. SB 1115 was defeated 8-7 by the Senate Committee on Education and Health.
- **SB 1332 Abortion; optional ultrasound. *Sen. Northam (D-6)****
Like Sen. Northam's SB 1082, SB 1332 attempted to repeal Virginia's mandatory forced-ultrasound requirement, specifically by making the procedure "optional". Shockingly, SB 1332 received a clandestine hearing (some committee members were completely unaware of the meeting) before being tabled (8-3) with absolutely zero allowances for debate or discussion.
- **SB 826 Abortion; funding by Board of Health for certain women. *Sen. Garrett (R-22)***
This callus bill is almost identical to HB 62, introduced in 2012 (opposite page). Like HB 62, it attempted to repeal abortion funding for low-income women in cases when the fetus has an incapacitating physical or mental anomaly. If SB 826 had been approved, Medicaid-eligible women in Virginia would have had no option for a pregnancy that had gone tragically wrong. of improving the health and safety of low-income women in Virginia, this bill would have removed yet another layer of health care from those already the most vulnerable. Thankfully, SB 826 was defeated by the Senate Committee on Education and Health in a 8-7 vote.

* The bill is pro-choice.

See how your legislators scored!

2012-2013 Term Record

Methodology: During the 2012 General Assembly session a total of 6 anti-choice bills were introduced, prompting a wide-spread backlash against legislators who voted to restrict Virginians' reproductive health and rights. Due to overwhelming statewide and national outrage, many extreme legislators attempted to soften their anti-choice stance during the recent 2013 Session, particularly in light of the upcoming statewide elections. In order to accurately represent legislators' views on women's health in this critical election year, NARAL Pro-Choice Virginia is excited to present our first annual Term Record. The 2012-2013 Term Record was calculated using our traditional method—by percentage, representing the sum of each year's votes—on the basis of legislators' voting records during the 2012 and 2013 sessions (opposite page, and below). Each vote was weighted equally.

2012 Scored Bills

- **HB 1 – Unborn person; construing the word “person” under Virginia law to include. Del. Marshall (R-13)**
H.B. 1, also known as the “personhood” bill, was the first piece of legislation introduced in the 2012 legislative session. The bill, sponsored by radical anti-choice Delegate Bob Marshall, would have granted “personhood” status—as well as a host of legal rights—to fertilized eggs. Like other “personhood” measures introduced across the country, H.B. 1 was an extreme threat to the women, children, and families of Virginia.
- **HB 462 & SB 484 – Abortion; informed consent. Del. Byron (R-22) & Sen. Vogel (R-27)**
HB 462 & SB 484 quickly became notorious after NARAL Pro-Choice Virginia introduced the state and the nation to the fact that it would require every woman to undergo an invasive transvaginal ultrasound before accessing an abortion. After Governor McDonnell removed the transvaginal requirement and instead insisted that every woman be forced to undergo a transabdominal (ie “jelly in the belly”) ultrasound, the amended version of HB 462 was passed out of the Senate on a 21-19 vote and went into effect on July 1st 2012.
- **HB 1285 & SB 637 – Virginia Pain-Capable Unborn Child Protect Act. Del. Anderson (R-51) & Sen. Obenshain (R-26)**
Del. Rich Anderson and Senator Mark Obenshain both introduced legislation (HB 1285 & SB 637) attempting to ban abortion after 20 weeks - which is clearly unconstitutional. Sen. Obenshain's SB 637 was defeated in the Senate Committee on Education and Health after committee members heard tearful testimony from women who faced severe pregnancy complications after 20 weeks. Soon after Delegate Anderson pulled his HB 1285 bill, citing potential constitutional issues.
- **HB 62 - Abortion funding; repealed. Del. Cole (R-88)**
In what was one of the most callus pieces of legislation seen in 2012, Delegate Mark Cole attempted to repeal funding for low income women seeking abortion in cases of severe and incapacitating fetal anomaly. Thankfully, after an outpouring of outrage, the legislation was sent to the Senate Committee on Finance where it was decisively defeated by a bipartisan 9-6 vote. Shockingly, Sen. Garrett (R-22) reintroduced this measure in 2013.

Approval of Targeted Regulations on Abortion Providers (TRAP)

In March 2011 Governor McDonnell signed SB 924, a bill to classify Virginia's women's health centers as hospitals, making them subject to new regulations created by the Department of Health. These laws, also known as “TRAP laws” have nothing to do with women's health and safety and everything to do with legislators' efforts to restrict access to reproductive healthcare. Virginia's women's health centers provide a full range of reproductive health services, yet TRAP regulations require extensive architectural changes that are cost prohibitive for many.

After the governor approved temporary regulations, the Board of Health voted on permanent regulations in June of 2012, amending a key provision to “grandfather in” existing women's health centers rather than subjecting them to the onerous and unnecessary building requirements. However, Attorney General Cuccinelli placed politics over women's health and refused to certify the regulations. The Board voted again on September 14, 2012, and under extreme pressure from AG Cuccinelli and Governor McDonnell, did not approve “grandfathering in” existing women's health centers.

On April 12, 2013 the Board voted to give their final approval to the regulations. Virginia's women's health centers will have to comply with the unnecessary and stringent regulations by 2014, or will be forced to close their doors.

Virginia Senate

Senator	District	HB 1900 Abortion Covg. Ban	2013 Score	2012 Score	2012 - 2013 Term Record
John Miller	1	N	100%	100%	100%
Mamie Locke	2	N	100%	100%	100%
Tommy Norment	3	Y	0%	50%	40%
Ryan McDougle	4	Y	0%	0%	0%
Ken Alexander	5	N	100%	N/A	100%
Ralph Northam	6	N	100%	100%	100%
Frank Wagner	7	Not voting	N/A	50%	50%
Jeffrey McWaters	8	Y	%	0%	0%
Donald McEachin	9	N	100%	100%	100%
John Watkins	10	N	100%	100%	100%
Stephen Martin	11	Y	0%	0%	0%
Walter Stosch	12	Y	0%	50%	40%
Dick Black	13	Y	0%	0%	0%
Harry Blevins	14	Y	16%	25%	20%
Frank Ruff	15	Y	0%	25%	20%
Henry Marsh	16	N	100%	100%	100%
Bryce Reeves	17	Y	0%	0%	0%
Louise Lucas	18	N	100%	100%	100%
Ralph Smith	19	Y	0%	0%	0%
Bill Stanley	20	Y	0%	0%	0%
John Edwards	21	N	100%	100%	100%
Tom Garrett	22	Y	0%	0%	0%
Stephen Newman	23	Y	0%	0%	0%
Emmett Hanger	24	Y	0%	0%	0%
Creigh Deeds	25	N	100%	100%	100%
Mark Obenshain	26	Y	0%	0%	0%
Jill Vogel	27	Y	0%	0%	0%
Richard Stuart	28	Y	0%	0%	0%
Chuck Colgan	29	Y	0%	0%	0%
Adam Ebbin	30	N	100%	100%	100%
Barbara Favola	31	N	100%	100%	100%
Janet Howell	32	N	100%	100%	100%
Mark Herring	33	N	100%	100%	100%
Chap Petersen	34	N	100%	100%	100%
Dick Saslaw	35	N	100%	100%	100%
Linda Puller	36	N	100%	100%	100%
David Marsden	37	N	100%	100%	100%
Phillip Puckett	38	Y	0%	0%	0%
George Barker	39	N	100%	100%	100%
Charles Carrico	40	Y	0%	0%	0%

Virginia Senate

Committee on Education and Health

Senator	*SB 783 BC Protection Act	*SB 1082 Ultrasound Repeal	*SB 1115 TRAP Repeal	*SB 1332 Ultrasound Repeal	SB 826 Fetal Anomaly
Stephen Martin	Y	Y	Y	Y	N
Dick Saslaw	N	N	N	Not voting	Y
Louise Lucas	N	N	N	Not voting	Y
Janet Howell	N	N	N	N	Y
Stephen Newman	Y	Y	Y	Y	N
Harry Blevins	Y	Y	Y	Y	Y
Mamie Locke	N	N	N	Not voting	Y
George Barker	N	N	N	Not voting	Y
Ralph Northam	N	N	N	N	Y
John Miller	N	N	N	N	Y
Ralph Smith	Y	Y	Y	Y	N
Jeffrey McWaters	Y	Y	Y	Y	N
Dick Black	Y	Y	Y	Y	N
Charles Carrico	Y	Y	Y	Y	N

* The bill is pro-choice. A vote "Yes" is a vote to "pass by indefinitely", and is an anti-choice vote.

The balance for CHOICE in Richmond:

100% Pro-Choice
Legislators:

50

Mixed-Choice &
Anti-Choice Legislators:

90

Elections matter. We MUST elect a reliable pro-choice majority to pass pro-choice laws!

Virginia House

Delegate	District	HB 1900 Abortion Covg. Ban	2013 Score	2012 Score	2012 - 2013 Term Record
Terry Kilgore	1	Y	0%	0%	0%
Mark Dudenhefer	2	Y	0%	0%	0%
James Morefield	3	N	100%	0%	20%
Joseph Johnson	4	Y	0%	0%	0%
Israel O'Quinn	5	Y	0%	0%	0%
Anne Crockett-Stark	6	Not voting	N/A	0%	0%
Nick Rush	7	Y	0%	0%	0%
Gregory Habeeb	8	Y	0%	0%	0%
Charles Poindexter	9	Y	0%	0%	0%
Randy Minchew	10	Y	0%	0%	0%
Onzlee Ware	11	N	100%	100%	100%
Joseph Yost	12	Y	0%	0%	0%
Robert Marshall	13	Abstain*	N/A	0%	0%
Daniel Marshall	14	Y	0%	0%	0%
Todd Gilbert	15	Y	0%	0%	0%
Donald Merricks	16	Not voting	N/A	0%	0%
Christopher Head	17	Y	0%	0%	0%
Michael Webert	18	Y	0%	0%	0%
Lacey Putney	19	Y	0%	0%	0%
Dickie Bell	20	Y	0%	0%	0%
Ron Villanueva	21	Y	0%	0%	0%
Kathy Byron	22	Y	0%	0%	0%
Scott Garrett	23	Y	0%	0%	0%
Benjamin Cline	24	Y	0%	0%	0%
Steven Landes	25	Y	0%	0%	0%
Tony Wilt	26	Y	0%	0%	0%
Roxann Robinson	27	N	100%	0%	20%
Speaker William Howell	28	Y	0%	0%	0%
Beverly Sherwood	29	Y	0%	0%	0%
Edward Scott	30	Y	0%	0%	0%
Scott Lingamfelter	31	Not voting	N/A	0%	0%
Thomas Greason	32	Y	0%	0%	0%
Joe May	33	Y	0%	75%	60%
Barbara Comstock	34	N	100%	0%	20%
Mark Keam	35	N	100%	100%	100%
Kenneth Plum	36	N	100%	100%	100%
David Bulova	37	N	100%	100%	100%
Kaye Kory	38	N	100%	100%	100%
Vivian Watts	39	N	100%	100%	100%
Timothy Hugo	40	Y	0%	0%	0%
Eileen Filler-Corn	41	N	100%	100%	100%
David Albo	42	Y	0%	0%	0%
Mark Sickles	43	N	100%	100%	100%
Scot Surovell	44	N	100%	100%	100%
Robert Krupicka Jr.	45	N	100%	N/A	100%
Charniele Herring	46	N	100%	100%	100%
Patrick Hope	47	N	100%	100%	100%
Robert Brink	48	N	100%	100%	100%
Alfonso Lopez	49	N	100%	100%	100%
Jackson Miller	50	Y	0%	0%	0%

*Delegate Robert Marshall stated he abstained from voting on the bill because he felt it was not restrictive enough

Virginia House

Delegate	District	HB 1900 Abortion Covg. Ban	2013 Score	2012 Score	2012 - 2013 Term Record
Richard Anderson	51	Y	0%	0%	0%
Luke Torian	52	N	100%	100%	100%
Jim Scott	53	N	100%	100%	100%
Robert Orrock, Sr.	54	Y	0%	0%	0%
John Cox	55	Not voting	N/A	0%	0%
Peter Farrell	56	Y	0%	0%	0%
David Toscano	57	N	100%	100%	100%
Robert Bell	58	Y	0%	0%	0%
Matt Fariss	59	Y	0%	25%	20%
James Edmunds	60	Y	0%	0%	0%
Thomas Wright, Jr.	61	Y	0%	0%	0%
Riley Ingram	62	Y	0%	0%	0%
Rosalyn Dance	63	N	100%	100%	100%
Richard Morris	64	N	100%	0%	20%
R. Lee Ware, Jr.	65	Y	0%	0%	0%
M. Kirkland Cox	66	Y	0%	0%	0%
James LeMunyon	67	Y	0%	25%	20%
Manoli Loupassi	68	Not voting	N/A	0%	0%
Betsy Carr	69	N	100%	100%	100%
Delores McQuinn	70	N	100%	100%	100%
Jennifer McClellan	71	N	100%	100%	100%
James Massie	72	Y	0%	0%	0%
John O'Bannon	73	Y	0%	0%	0%
Joseph Morrissey	74	Y	0%	100%	80%
Roslyn Tyler	75	N	100%	100%	100%
Chris Jones	76	Y	0%	0%	0%
Lionell Spruill	77	N	100%	100%	100%
John Cosgrove	78	Y	0%	0%	0%
Johnny Joannou	79	N	100%	100%	100%
Matthew James	80	N	100%	100%	100%
Barry Knight	81	Y	0%	0%	0%
Harry Purkey	82	Not voting	N/A	0%	0%
Christopher Stolee	83	Y	0%	25%	20%
Salvatore Iaquinto	84	Y	0%	0%	0%
Robert Tata	85	N	100%	50%	60%
Thomas Rust	86	N	100%	100%	100%
David Ramadan	87	Not voting	N/A	0%	0%
Mark Cole	88	Y	0%	0%	0%
Daun Hester	89	N	100%	N/A	100%
Algie Howell	90	N	100%	100%	100%
Gordon Helsel	91	Y	0%	25%	20%
Jeion Ward	92	N	100%	100%	100%
Michael Watson	93	N	100%	0%	20%
David Yancey	94	Y	0%	0%	0%
Mamye BaCote	95	N	100%	100%	100%
Brenda Pogge	96	Y	0%	0%	0%
Christopher Peace	97	Y	0%	0%	0%
Keith Hodges	98	Y	0%	25%	20%
Margaret Ransone	99	Y	0%	0%	0%
Lynwood Lewis	100	N	100%	100%	100%

Join NARAL Pro-Choice Virginia

in protecting reproductive rights and health in the Commonwealth!

Vote pro-choice in this fall's statewide election on Tuesday, November 5 and remind your family, friends and neighbors to do the same!

Contact your legislators about their votes this past year and let them know that reproductive freedom and women's health are important to you. To find your legislator, visit the Virginia General Assembly website at <http://legis.state.va.us>. Thank the 100% pro-choice legislators for standing up for your values and urge those who fell short to support commonsense, pro-prevention legislation next year.

Become a NARAL Pro-Choice Virginia member or renew your membership today! You can make a contribution online at www.naralva.org/donate and join thousands of Virginians who support our work and invest in a pro-choice future for our state.

Join our Choice Action Network (CAN)! Visit our website at www.naralva.org and sign up for email alerts. We'll keep you updated on opportunities to contact your representatives, volunteer with us, attend events, and more! To find out how you can take action now, email info@naralva.org.

Follow our Twitter account (www.twitter.com/NARALVirginia), become a fan of our Facebook page (www.facebook.com/NARALProChoiceVirginia), or read our blog (<http://prochoiceva.wordpress.com>).

Reproductive Rights in Virginia: What's the law?

Learn more and compare Virginia to other states in NARAL Pro-Choice America's report at www.WhoDecides.org.

- **Biased Counseling & Mandatory Delay**

Virginia law subjects women seeking abortion services to biased-counseling requirements and mandatory delays.

- **Counseling Ban/Gag Rule**

Virginia prohibits certain state employees and organizations receiving state funds from referring women for abortion services.

- **Insurance Prohibition for Abortion**

Virginia restricts insurance coverage of abortion for some individuals.

- **Refusal to Provide Medical Services**

Virginia allows certain individuals or entities to refuse to provide women specific reproductive-health services, information, or referrals.

Virginia's Grade

F

Did you know? 85% of Virginia counties do not have an abortion provider. 54% of Virginia women live in these counties.

- **Restrictions on Low-Income Women and Young Women's Access to Abortion**

Virginia restricts low-income women's access to abortion, as well as young women's access to abortion by mandating parental notice and consent.

- **Targeted Regulation of Abortion Providers (TRAP)**

Virginia law subjects abortion providers to burdensome restrictions not applied to other medical professionals.