



2009
Post-Election Legislative
Report:

*An Analysis of Voting Trends on
Abortion Bans in South Dakota*

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Executive Summary



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To: Interested Parties
From: Jan Nicolay and Elaine Roberts, Co-Chairs
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To state the results of the 2006 and 2008 elections in South Dakota most plainly, the voters have spoken. After rejecting two different abortion bans in consecutive elections, it is clear that South Dakota voters have issued a mandate to politicians and activists: The government should not intrude in personal medical decisions.

“Take a little break [...] because we are coming back. [...] All the options are open.” – Leslee Unruh
[Argus Leader, 11/5/08]

Following the 2006 election, some questioned whether the inclusion of exceptions for a woman’s health and for victims of rape or incest would cause a majority of voters in our state to approve an abortion ban. It didn’t. South Dakota voters are not influenced by nuanced differences in abortion ban legislation. A strong majority of South Dakotans oppose government intrusion into a very difficult and private medical decision. Keeping with the will of voters, future attempts to ban abortion should be rejected.

“Unfortunately, ban proponents appear to be mulling their options for yet another ballot fight. Leslee Unruh, one of the ban’s most outspoken advocates, said last week that she’s besieged by calls from potential volunteers and has laid down financial benchmarks for those looking to fund another initiative. ‘The ultimate goal is for South Dakota to be abortion free. ...I think you keep coming back and you keep coming back and you keep coming back. You do all that you can possibly do,’ Unruh said.” - *Minneapolis Star Tribune Editorial Board [Minneapolis Star Tribune, 11/30/2008]*

Following the defeat of Referred Law 6 at the ballot box in 2006, abortion ban proponents launched an initiative petition drive to qualify a new abortion ban for the 2008 general election. Despite the inclusion of certain exceptions in the second abortion ban, South Dakota voters again rejected the measure by a margin almost identical to that of 2006. While the overall result of these elections is significant, a closer look at geographic voting trends across the state demonstrates how many legislators who have supported and continue to support efforts to ban abortion are out of touch with their constituents on the issue.

Despite consecutive double-digit losses at the ballot box, abortion ban proponents have vowed to continue efforts to allow government interference into private medical decisions in South Dakota.

The following analysis will be useful to legislators who may want to reexamine their position on this issue; local and statewide media covering the 2009 Legislative Session; and concerned citizens who want to learn more about how their elected officials voted on the abortion bans.

Jan Nicolay

Elaine Roberts

2008 Election Results¹

Following the 2006 Election we were struck by the frequency with which a majority of voters in Legislative Districts across the state voted against Referred Law 6 after some or all of their elected representatives had supported the measure. What is perhaps most notable about the 2008 Election is that the overall election results did not differ widely from the previous election.

The following results are even more remarkable when one considers that public polling conducted in 2006 predicted that an abortion ban with exceptions for a woman’s health and for victims of rape or incest would sail to victory by a 28 point margin.² We are left to conclude that South Dakota’s opposition to banning abortion has nothing to do with nuanced differences between what exceptions are and aren’t included in a particular law. Put simply, South Dakotans oppose abortion bans as government intrusion into a personal and private medical decision best left to a woman, her family and her doctor.

“I thought it may very well win this time, with the exceptions included.” – Governor Mike Rounds. [AP, 11/5/08]

- **The Margin Of Victory In 2008 Was Similar To 2006.** The margin of victory by percentage was only slightly less (-0.72%) in 2008 (10.42%) than in 2006 (11.14%). However, the raw vote advantage was slightly greater (1,678) in 2008 (38,975) than in 2006 (37,297). Overall, the number of people who voted against the abortion ban increased by 20,590 from 2006 to 2008.
- **In 2008, A Majority Of Voters In More Counties Voted Against The Ban Than In 2006.** In 2008, a majority of voters in 45 counties voted against the abortion ban – two more than in 2006. A majority of voters in three counties (Tripp, Walworth and Hand) shifted from voting “Yes” in 2006 to voting “No” in 2008. Only one county (Codington) shifted from “No” to “Yes”.
- **In Both 2006 And 2008, A Majority Of Voters In 32 Of 35 Legislative Districts Rejected The Abortion Ban.** In both 2006 and 2008, a majority of voters in the same 32 Legislative Districts voted against the abortion ban. In 2006, a majority of voters in House Districts 26B and 28B supported the abortion ban. In 2008, the majority vote in 26B again supported the abortion ban, but the majority in 28B shifted more than 6% to oppose the abortion ban.

2008	2006
In the 2008 General Election, 374,095 South Dakotans cast a ballot on Initiated Measure 11. Of those, 206,535 (55.21%) voted “No” and 167,560 (44.79%) voted “Yes.”	In the 2006 General Election, 334,593 South Dakotans cast a ballot on Referred Law 6. Of those, 185,945 (55.57%) voted “No” and 148,648 (44.43%) voted “Yes.”
In 32 of 35 Legislative Districts and 3 of 4 split House Districts, over 50% voted to reject the abortion ban.	In 32 of 35 Legislative Districts and 2 of 4 split House Districts, over 50% voted to overturn the abortion ban.
Of the 45 Representatives that voted for passage of HB 1293 in 2007, 40 were effectively vetoed as a majority of their constituents voted “No” on Initiated Measure 11.	Of the 73 Senators and Representatives who voted for passage of HB 1215 in 2006, 65 were effectively vetoed as a majority of their constituents voted No on Referred Law 6.
Over 50% of voters in 45 out of 66 counties in South Dakota rejected the abortion ban.	Over 50% of voters in 43 out of 66 counties in South Dakota rejected the abortion ban.

¹ Precinct level election results on Initiated Measure 11 were obtained from the [South Dakota Secretary of State’s Website](http://www.sdsos.gov) and cross-checked for accuracy.

² “KELO TV Poll: Add Incest & Rape.” KELOland TV: 11/2/2006. <http://www.keloland.com/News/NewsDetail6375.cfm?Id=0,52154>

Holding Legislators Accountable

In 2006, it was revealed that many of the legislators who supported HB 1215 were out of touch with their constituents on the issue of abortion. This is a point worth revisiting, as many of those same officials who returned to Pierre turned a deaf ear toward the clear wishes of voters in their district by supporting HB 1293 in 2007.

Of those elected officials returning to Pierre this year, the following have thrice voted in favor of abortion bans, a position at odds with the voting history of their constituents in both 2006 and 2008:

- Sen. Al Novstrup (R-3)
- Sen. Gene Abdallah (R-10)
- Sen. Kathy Miles (D-15)
- Sen. Maggie Gillespie (D-16)
- Sen. Larry Rhoden (R-29)
- Sen. Jeff Haverly (R-35)
- Rep. Tim Rounds (R-24)

“A lot of legislators, the perception among them was that their constituency was behind them. I think they’ve lost that loving feeling. I had caucus members come to me just panicked because they didn’t want to vote again.” - Sen. Larry Rhoden (R-29), commenting on the effect South Dakota election results have had on legislative support for abortion bans. [*The New Republic*, 12/2/08]

Of those returning to Pierre this year, the following elected officials have twice voted in favor of abortion bans, a position at odds with the voting history of their constituents in both 2006 and 2008:

- Sen. Jim Peterson (D-4)
- Sen. Art Fryslie (R-6)
- Sen. Jean Hunhoff (R-18)
- Sen. Julie Bartling (D-26)
- Sen. Gordon Howie (R-30)
- Rep. Val Rausch (R-4)
- Rep. Bob Faehn (R-5)
- Rep. Gerald Lange (D-8)
- Rep. Deb Peters (R-9)
- Rep. Shantel Krebs (R-10)
- Rep. Roger Hunt (R-10)
- Rep. Jamie Boomgarden (R-17)
- Rep. Kent Juhnke (R-21)
- Rep. Thomas Brunner (R-29)

The following elected officials who will return to Pierre this year saw the light following the 2006 election. Each of them supported an abortion ban prior to 2006, but changed their opinion to vote against HB 1293 in 2007. A majority of voters in their Legislative Districts rejected the abortion ban in 2006 and 2008:

“People have just seen this issue too many times...they’ve had their fill” – William Anderson, director of the government research bureau at the University of South Dakota. [*Minneapolis Star Tribune*, 11/30/2008]

- Sen. Bob Gray (R-24)
- Rep. Thomas Deadrick (R-21)
- Rep. Quinten Burg (D-22)
- Rep. Ryan Olson (R-24)
- Rep. Charles Turbiville (R-31)

Three bills were included in this analysis for the purpose of identifying legislators who have supported abortion bans in the past: [HB 1293](#) (2007 Legislative Session); [HB 1215](#) (2006 Legislative Session) and [HB 1191](#) (2004 Legislative Session).

Finding Common Ground

After the 2006 and 2008 elections it is clear that, while many in the state remain conflicted over the issue of abortion, a majority of South Dakotans are completely opposed to banning abortion. One thing all sides can agree on is the desire to reduce the need for abortion. This goal is best accomplished by working toward constructive measures that reduce the incidence of unintended pregnancy and, in turn, reduce the demand for abortion. Future attempts to reduce abortions in South Dakota should focus on improving education in our communities and expanding access to contraception and family planning services – not punitive measures.

In addition to the conclusions we have drawn from the 2006 and 2008 election results, a post-election poll conducted for the South Dakota Campaign for Healthy Families last year revealed that South Dakotans oppose further efforts to restrict access to abortion. Furthermore, a strong majority of voters prefer efforts to prevent unintended pregnancies through family planning programs over passing tougher laws to reduce abortions.

“Frustrated by the failure to overturn Roe v. Wade, a growing number of antiabortion pastors, conservative academics and activists are setting aside efforts to outlaw abortion and instead are focusing on building social programs and developing other assistance for pregnant women to reduce the number of abortions.” [Washington Post, 11/18/08]

The poll revealed that by a 31 point margin, South Dakota voters favor preventing unintended pregnancies through family planning programs over enacting tougher laws to restrict access to abortion. Full information regarding the polling data is included below.

The South Dakota Campaign for Healthy Families obtained a survey of South Dakotans who voted in the Nov. 4th, 2008, elections. Greenberg, Quinlan, Rosner Research designed and administered the telephone survey conducted by professional interviewers. The survey reached 800 qualifying South Dakotans and was conducted Nov. 4th - 6th, 2008. Survey results are subject to a margin of error of ± 3.5 percentage points at the 95 percent confidence level.

>**Question:** If the state legislature in Pierre were to address the issue of abortion next year, which do you think would be more important for the legislature to address – preventing unwanted pregnancies by supporting family planning, abstinence-first education, and birth control, OR working to enact tougher laws to reduce the number of abortions performed in South Dakota?

	Total%
Preventing unwanted pregnancies.....	58
Tougher laws to reduce abortions.....	27
(Both).....	5
(Neither/Should not take up issue of abortion).....	5
(Don't know/Refused).....	5

Abortion Ban Votes – County Breakdown

County	08NO	08YES	08NO ADV	08NO%	08YES%	06NO	06YES	06NO ADV	06NO%	06YES%
Total	206535	167560	38975	55.21%	44.79%	185945	148648	37297	55.57%	44.43%
Aurora	733	756	-23	49.23%	50.77%	695	776	-81	47.25%	52.75%
Beadle	4087	3493	594	53.92%	46.08%	4129	3437	692	54.57%	45.43%
Bennett	698	459	239	60.33%	39.67%	665	463	202	58.95%	41.05%
Bon Homme	1447	1707	-260	45.88%	54.12%	1444	1715	-271	45.71%	54.29%
Brookings	8119	5616	2503	59.11%	40.89%	7063	4697	2366	60.06%	39.94%
Brown	9770	7321	2449	57.16%	42.84%	8712	7065	1647	55.22%	44.78%
Brule	1247	1148	99	52.07%	47.93%	1179	1140	39	50.84%	49.16%
Buffalo	358	246	112	59.27%	40.73%	384	272	112	58.54%	41.46%
Butte	2348	1843	505	56.02%	43.98%	2158	1680	478	56.23%	43.77%
Campbell	386	449	-63	46.23%	53.77%	344	469	-125	42.31%	57.69%
Charles Mix	1754	2174	-420	44.65%	55.35%	1600	2060	-460	43.72%	56.28%
Clark	1060	860	200	55.21%	44.79%	1064	841	223	55.85%	44.15%
Clay	4143	1957	2186	67.92%	32.08%	3646	1648	1998	68.87%	31.13%
Codington	5924	6033	-109	49.54%	50.46%	5514	5375	139	50.64%	49.36%
Corson	601	753	-152	44.39%	55.61%	415	626	-211	39.87%	60.13%
Custer	2776	1670	1106	62.44%	37.56%	2578	1341	1237	65.78%	34.22%
Davison	4281	4057	224	51.34%	48.66%	4055	3752	303	51.94%	48.06%
Day	1727	1415	312	54.96%	45.04%	1735	1275	460	57.64%	42.36%
Deuel	1146	1046	100	52.28%	47.72%	1148	991	157	53.67%	46.33%
Dewey	1179	777	402	60.28%	39.72%	973	703	270	58.05%	41.95%
Douglas	465	1276	-811	26.71%	73.29%	441	1350	-909	24.62%	75.38%
Edmunds	927	1120	-193	45.29%	54.71%	919	1134	-215	44.76%	55.24%
Fall River	2247	1474	773	60.39%	39.61%	2040	1315	725	60.80%	39.20%
Faulk	550	626	-76	46.77%	53.23%	549	585	-36	48.41%	51.59%
Grant	1775	2005	-230	46.96%	53.04%	1779	1820	-41	49.43%	50.57%
Gregory	1078	1156	-78	48.25%	51.75%	1061	1150	-89	47.99%	52.01%
Haakon	525	618	-93	45.93%	54.07%	486	607	-121	44.46%	55.54%
Hamlin	1233	1522	-289	44.75%	55.25%	1223	1329	-106	47.92%	52.08%
Hand	1020	969	51	51.28%	48.72%	961	1087	-126	46.92%	53.08%
Hanson	985	1261	-276	43.86%	56.14%	658	1174	-516	35.92%	64.08%
Harding	402	314	88	56.15%	43.85%	380	300	80	55.88%	44.12%
Hughes	5091	3288	1803	60.76%	39.24%	5124	3012	2112	62.98%	37.02%
Hutchinson	1340	2227	-887	37.57%	62.43%	1315	2338	-1023	36.00%	64.00%
Hyde	432	349	83	55.31%	44.69%	452	372	80	54.85%	45.15%
Jackson	623	485	138	56.23%	43.77%	554	436	118	55.96%	44.04%
Jerauld	694	390	304	64.02%	35.98%	670	401	269	62.56%	37.44%
Jones	338	269	69	55.68%	44.32%	373	268	105	58.19%	41.81%
Kingsbury	1524	1141	383	57.19%	42.81%	1540	1091	449	58.53%	41.47%

County	08NO	08YES	08NO ADV	08NO%	08YES%	06NO	06YES	06NO ADV	06NO%	06YES%
Lake	3520	2499	1021	58.48%	41.52%	3128	2238	890	58.29%	41.71%
Lawrence	7599	4302	3297	63.85%	36.15%	6702	3845	2857	63.54%	36.46%
Lincoln	10516	9971	545	51.33%	48.67%	8470	7778	692	52.13%	47.87%
Lyman	969	633	336	60.49%	39.51%	991	547	444	64.43%	35.57%
Marshall	1264	872	392	59.18%	40.82%	1067	769	298	58.12%	41.88%
McCook	1153	1772	-619	39.42%	60.58%	1084	1766	-682	38.04%	61.96%
McPherson	643	719	-76	47.21%	52.79%	616	671	-55	47.86%	52.14%
Meade	6616	4840	1776	57.75%	42.25%	5834	4082	1752	58.83%	41.17%
Mellette	498	341	157	59.36%	40.64%	452	309	143	59.40%	40.60%
Miner	599	601	-2	49.92%	50.08%	623	640	-17	49.33%	50.67%
Minnehaha	43435	34961	8474	55.40%	44.60%	38581	29510	9071	56.66%	43.34%
Moody	1798	1440	358	55.53%	44.47%	1774	1336	438	57.04%	42.96%
Pennington	27102	18239	8863	59.77%	40.23%	23705	15238	8467	60.87%	39.13%
Perkins	817	850	-33	49.01%	50.99%	673	806	-133	45.50%	54.50%
Potter	690	709	-19	49.32%	50.68%	657	781	-124	45.69%	54.31%
Roberts	2339	2119	220	52.47%	47.53%	2264	1938	326	53.88%	46.12%
Sanborn	721	475	246	60.28%	39.72%	708	535	173	56.96%	43.04%
Shannon	2000	1097	903	64.58%	35.42%	1486	828	658	64.22%	35.78%
Spink	1786	1438	348	55.40%	44.60%	1764	1509	255	53.90%	46.10%
Stanley	1005	543	462	64.92%	35.08%	999	515	484	65.98%	34.02%
Sully	449	376	73	54.42%	45.58%	443	399	44	52.61%	47.39%
Todd	1525	1201	324	55.94%	44.06%	1055	754	301	58.32%	41.68%
Tripp	1417	1395	22	50.39%	49.61%	1349	1354	-5	49.91%	50.09%
Turner	2131	2168	-37	49.57%	50.43%	1989	2127	-138	48.32%	51.68%
Union	3879	3555	324	52.18%	47.82%	3117	2523	594	55.27%	44.73%
Walworth	1371	1225	146	52.81%	47.19%	1189	1243	-54	48.89%	51.11%
Yankton	5128	4626	502	52.57%	47.43%	4774	4203	571	53.18%	46.82%
Ziebach	532	323	209	62.22%	37.78%	425	309	116	57.90%	42.10%

Abortion Ban Votes – Legislative District Breakdown

LD	IM11NO	IM11YES	IM11NO ADV	%IM11		RL6NO	RL6YES	RL6NO ADV	%RL6NO	%RL6Yes
				NO	%IM11YES					
1	5330	4406	924	54.75%	45.25%	5066	3982	1084	55.99%	44.01%
2	5733	4256	1477	57.39%	42.61%	5356	4240	1116	55.81%	44.19%
3	6100	4789	1311	56.02%	43.98%	5382	4633	749	53.74%	46.26%
4	5194	4991	203	51.00%	49.00%	5088	4669	419	52.15%	47.85%
5	5166	5137	29	50.14%	49.86%	4804	4510	294	51.58%	48.42%
6	4915	4829	86	50.44%	49.56%	4881	4602	279	51.47%	48.53%
7	6353	4071	2282	60.95%	39.05%	5407	3230	2177	62.60%	37.40%
8	6131	4620	1511	57.03%	42.97%	5728	4358	1370	56.79%	43.21%
9	6085	4629	1456	56.79%	43.21%	5209	3598	1611	59.15%	40.85%
10	9011	8320	691	51.99%	48.01%	7595	6563	1032	53.64%	46.36%
11	7889	6660	1229	54.22%	45.78%	6584	5387	1197	55.00%	45.00%
12	7728	6479	1249	54.40%	45.60%	6127	5075	1052	54.70%	45.30%
13	6471	4729	1742	57.78%	42.22%	6243	4263	1980	59.42%	40.58%
14	6813	6117	696	52.69%	47.31%	6230	5312	918	53.98%	46.02%
15	3947	2532	1415	60.92%	39.08%	3491	2219	1272	61.14%	38.86%
16	6396	5694	702	52.90%	47.10%	5462	4474	988	54.97%	45.03%
17	5899	3577	2322	62.25%	37.75%	5323	3212	2111	62.37%	37.63%
18	5128	4626	502	52.57%	47.43%	4774	4203	571	53.18%	46.82%
19	3627	5758	-2131	38.65%	61.35%	3512	5966	-2454	37.05%	62.95%
20	5014	4813	201	51.02%	48.98%	4750	4528	222	51.20%	48.80%
21	4666	4470	196	51.07%	48.93%	4527	4287	240	51.36%	48.64%
22	5461	4442	1019	55.14%	44.86%	5416	4449	967	54.90%	45.10%
23	4722	4911	-189	49.02%	50.98%	4464	4956	-492	47.39%	52.61%
24	6545	4207	2338	60.87%	39.13%	6566	3926	2640	62.58%	37.42%
25	5628	6360	-732	46.95%	53.05%	4969	5860	-891	45.89%	54.11%
26	4518	4093	425	52.47%	47.53%	3917	3567	350	52.34%	47.66%
26A	2023	1542	481	56.75%	43.25%	1507	1063	444	58.64%	41.36%
26B	2495	2551	-56	49.45%	50.55%	2410	2504	-94	49.04%	50.96%
27	3846	2659	1187	59.12%	40.88%	3191	2334	857	57.76%	42.24%
28	4393	3809	584	53.56%	46.44%	3637	3484	153	51.07%	48.93%
28A	1977	1419	558	58.22%	41.78%	1592	1211	381	56.80%	43.20%
28B	2416	2390	26	50.27%	49.73%	2045	2273	-228	47.36%	52.64%
29	6904	5059	1845	57.71%	42.29%	6219	4408	1811	58.52%	41.48%
30	7914	5349	2565	59.67%	40.33%	7202	4521	2681	61.43%	38.57%
31	7599	4302	3297	63.85%	36.15%	6702	3845	2857	63.54%	36.46%
32	6645	4556	2089	59.33%	40.67%	5933	3904	2029	60.31%	39.69%
33	6031	4120	1911	59.41%	40.59%	5026	3230	1796	60.88%	39.12%
34	7196	4745	2451	60.26%	39.74%	6634	4086	2548	61.88%	38.12%
35	5537	3445	2092	61.65%	38.35%	4554	2781	1773	62.09%	37.91%

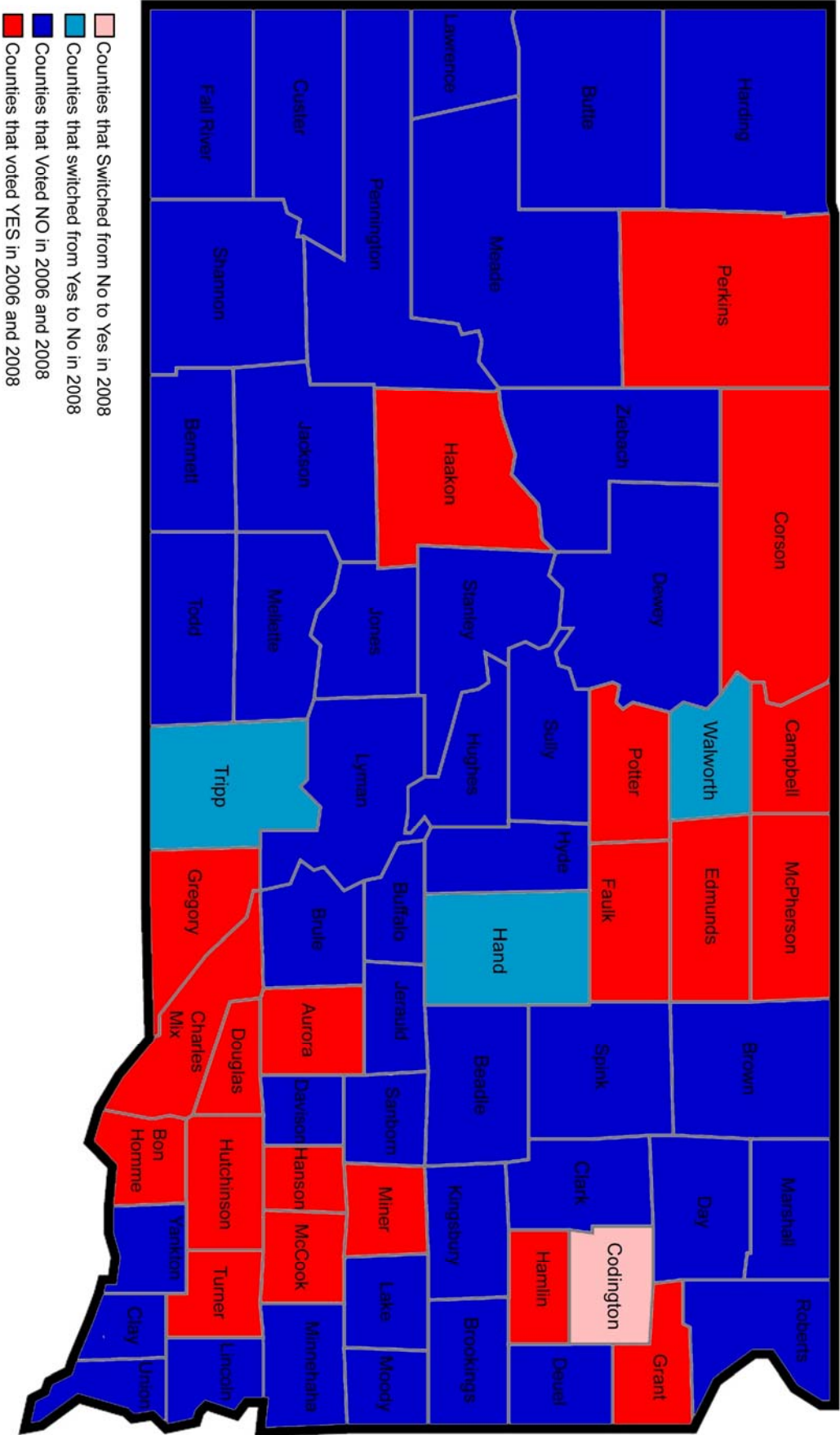
2009/2010 Legislature – Abortion Ban Vote History

Chamber	First Name	Last Name	LD	Party	HB1191	HB 1215	HB1293	06NO%ADV	08NO%ADV
Senate	Gary	Hanson	1	D	Yea	Nay	Nay	11.98%	9.49%
House	Jason	Frerichs	1	D	X	X	X	11.98%	9.49%
House	Susan	Wismer	1	D	X	X	X	11.98%	9.49%
Senate	Jim	Hundstad	2	D	Yea	Nay	X	11.63%	14.79%
House	H. Paul	Dennert	2	D	Nay	Nay	Nay	11.63%	14.79%
House	Elaine	Elliott	2	D	X	X	X	11.63%	14.79%
Senate	Al	Novstrup	3	R	Yea	Yea	Yea	7.48%	12.04%
House	Dennis	Feickert	3	D	X	X	X	7.48%	12.04%
House	David	Novstrup	3	R	X	X	Yea	7.48%	12.04%
Senate	Jim	Peterson	4	D	Yea	Yea	X	4.29%	1.99%
House	Steve	Street	4	D	X	Nay	Nay	4.29%	1.99%
House	Val	Rausch	4	R	X	Yea	Yea	4.29%	1.99%
Senate	Nancy	Turbak Berry	5	D	X	X	X	3.16%	0.28%
House	Roger	Solum	5	R	X	X	X	3.16%	0.28%
House	Bob	Faehn	5	R	X	Yea	Yea	3.16%	0.28%
Senate	Art	Fryslie	6	R	Yea	Yea	X	2.94%	0.88%
House	Kristi	Noem	6	R	X	X	Yea	2.94%	0.88%
House	Brock	Greenfield	6	R	Nay	Yea	X	2.94%	0.88%
Senate	Pam	Merchant	7	D	X	X	X	25.21%	21.89%
House	Larry	Tidemann	7	R	X	Nay	Nay	25.21%	21.89%
House	Carol	Pitts	7	R	X	X	Nay	25.21%	21.89%
Senate	Russell	Olson	8	R	X	X	Yea	13.58%	14.05%
House	Gerald	Lange	8	D	Yea	Yea	X	13.58%	14.05%
House	Mitch	Fargen	8	D	X	X	X	13.58%	14.05%
Senate	Tom	Dempster	9	I	Nay	Nay	Nay	18.29%	13.59%
House	Richard	Engels	9	D	Nay	X	Nay	18.29%	13.59%
House	Deb	Peters	9	R	X	Yea	Yea	18.29%	13.59%
Senate	Gene	Abdallah	10	R	Yea	Yea	Yea	7.29%	3.99%
House	Shantel	Krebs	10	R	X	Yea	Yea	7.29%	3.99%
House	Roger	Hunt	10	R	X	Yea	Yea	7.29%	3.99%
Senate	Jason	Gant	11	R	X	Yea	X	10.00%	8.45%
House	Darrell	Solberg	11	D	X	X	X	10.00%	8.45%
House	Todd	Schlekeway	11	R	X	X	X	10.00%	8.45%
Senate	Sandy	Jerstad	12	D	X	X	X	9.39%	8.79%
House	Manny	Steele	12	R	X	X	Yea	9.39%	8.79%
House	Blake	Curd	12	R	X	X	X	9.39%	8.79%
Senate	Scott	Heidepriem	13	D	X	X	Nay	18.85%	15.55%
House	Bill	Thompson	13	D	Nay	Nay	Nay	18.85%	15.55%
House	Suzy	Blake	13	D	X	X	X	18.85%	15.55%
Senate	Dave	Knudson	14	R	Nay	Nay	Nay	7.95%	5.38%
House	Marc	Feinstein	14	D	X	X	Nay	7.95%	5.38%
House	Joni	Cutler	14	R	Nay	Nay	Nay	7.95%	5.38%

Chamber	First Name	Last Name	LD	Party	HB1191	HB 1215	HB1293	06NO%ADV	08NO%ADV
Senate	Kathy	Miles	15	D	Yea	Yea	Yea	22.28%	21.84%
House	Patrick	Kirschman	15	D	X	X	X	22.28%	21.84%
House	Martha	Vanderlinde	15	D	X	X	X	22.28%	21.84%
Senate	Margaret	Gillespie	16	D	Yea	Yea	Yea	9.94%	5.81%
House	Dan	Lederman	16	R	X	X	X	9.94%	5.81%
House	Jim	Bolin	16	R	X	X	X	9.94%	5.81%
Senate	Ben	Nesselhuf	17	D	Nay	Nay	Nay	24.73%	24.50%
House	Eldon	Nygaard	17	D	X	X	Nay	24.73%	24.50%
House	Jamie	Boomgarden	17	R	X	Yea	Yea	24.73%	24.50%
Senate	Jean	Hunhoff	18	R	Yea	Yea	X	6.36%	5.15%
House	Bernie	Hunhoff	18	D	X	X	X	6.36%	5.15%
House	Nick	Moser	18	R	X	X	X	6.36%	5.15%
Senate	Frank	Kloucek	19	D	Yea	Yea	X	-25.89%	-22.71%
House	J.R. "Jim"	Putnam	19	R	Yea	Yea	Yea	-25.89%	-22.71%
House	Bill	Van Gerpen	19	R	Yea	X	X	-25.89%	-22.71%
Senate	Mike	Vehle	20	R	X	Nay	Yea	2.39%	2.05%
House	Noel	Hamiel	20	R	X	X	X	2.39%	2.05%
House	Lance	Carson	20	R	X	X	Yea	2.39%	2.05%
Senate	Cooper	Garnos	21	R	Yea	X	X	2.72%	2.15%
House	Kent	Juhnke	21	R	Yea	X	Yea	2.72%	2.15%
House	Thomas	Deadrick	21	R	Yea	Yea	Nay	2.72%	2.15%
Senate	Tom	Hansen	22	R	X	Yea	X	9.80%	10.29%
House	Peggy	Gibson	22	D	X	X	X	9.80%	10.29%
House	Quinten	Burg	22	D	Yea	X	Nay	9.80%	10.29%
Senate	Corey	Brown	23	R	X	X	X	-5.22%	-1.96%
House	Justin	Cronin	23	R	X	X	X	-5.22%	-1.96%
House	Charles	Hoffman	23	R	X	X	X	-5.22%	-1.96%
Senate	Bob	Gray	24	R	X	Yea	Nay	25.16%	21.74%
House	Tim	Rounds	24	R	Yea	Yea	Yea	25.16%	21.74%
House	Ryan	Olson	24	R	Yea	Yea	Nay	25.16%	21.74%
Senate	Dan	Ahlers	25	D	X	X	Nay	-8.23%	-6.11%
House	Oran	Sorenson	25	D	X	X	X	-8.23%	-6.11%
House	Tim	Rave	25	R	Yea	Yea	Yea	-8.23%	-6.11%
Senate	Julie	Bartling	26	D	Yea	Yea	X	4.68%	4.94%
House	Larry	Lucas	26A	D	X	X	Yea	17.28%	13.49%
House	Kim	Vanneman	26B	R	X	X	Yea	-1.91%	-1.11%
Senate	Jim	Bradford	27	R	Nay	Nay	Nay	15.51%	18.25%
House	Kevin	Killer	27	D	X	X	X	15.51%	18.25%
House	Ed	Iron Cloud III	27	D	X	X	X	15.51%	18.25%
Senate	Ryan	Maher	28	D	X	X	X	2.16%	7.12%
House	Dean	Schrempp	28A	D	X	X	X	13.59%	16.43%
House	Betty	Olson	28B	R	X	X	Yea	-5.27%	0.54%

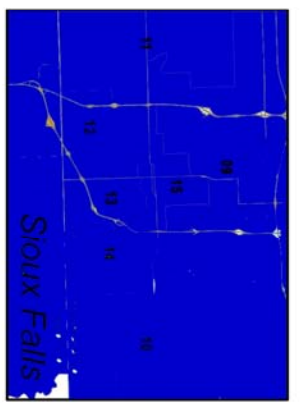
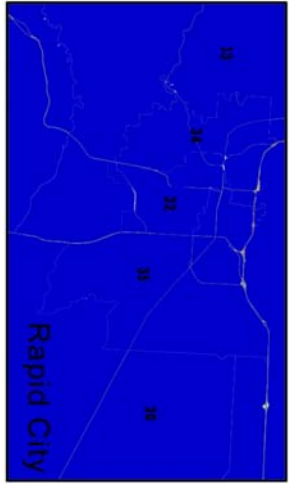
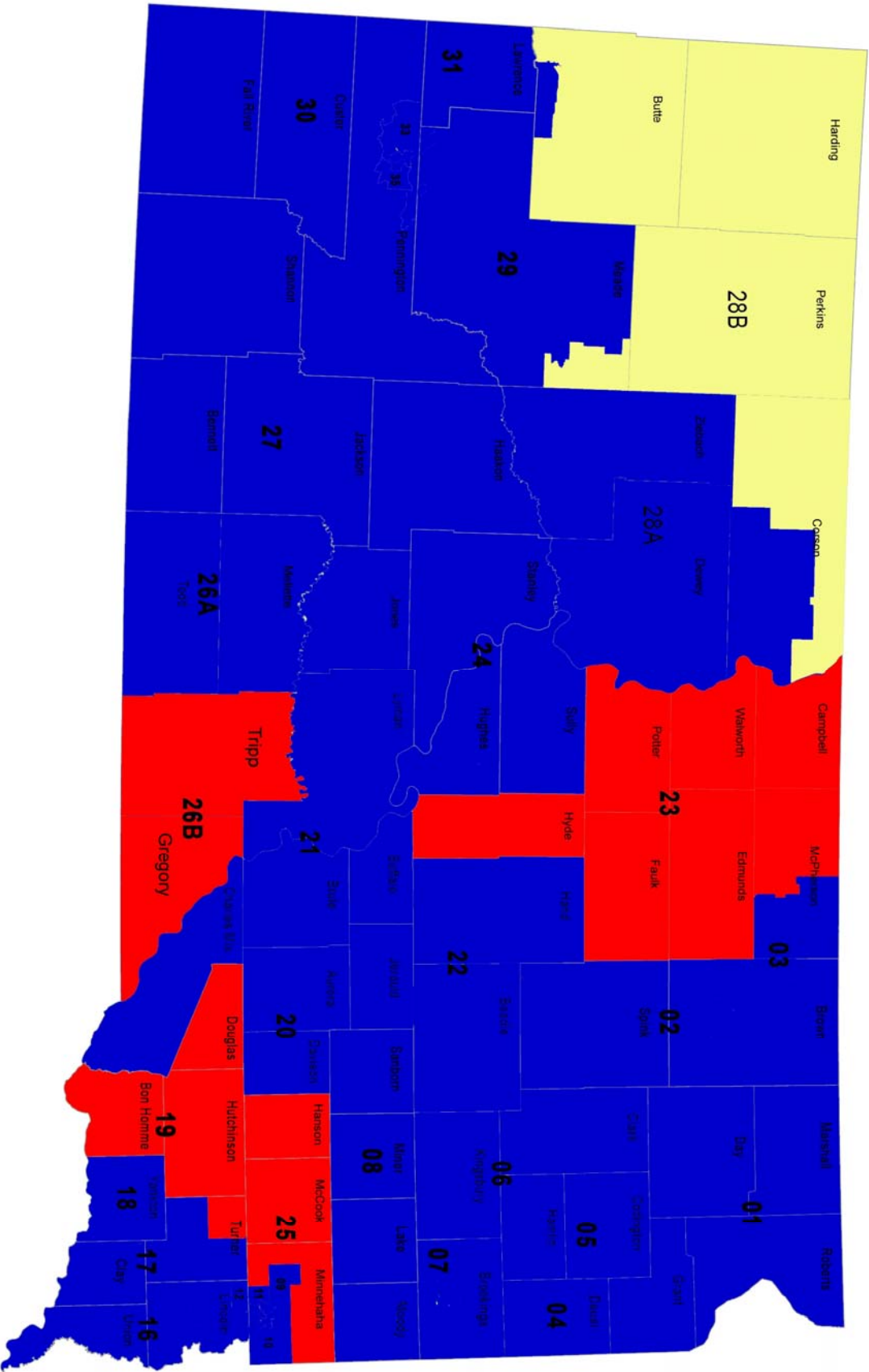
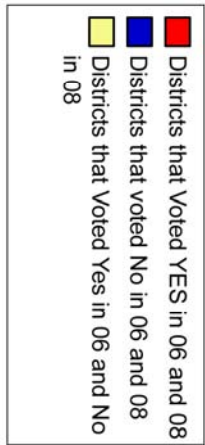
Chamber	First Name	Last Name	LD	Party	HB1191	HB 1215	HB1293	06NO%ADV	08NO%ADV
Senate	Larry	Rhoden	29	R	Yea	Yea	Yea	17.04%	15.42%
House	Thomas	Brunner	29	R	X	Yea	Yea	17.04%	15.42%
House	Dean	Wink	29	R	X	X	X	17.04%	15.42%
Senate	Gordon	Howie	30	R	X	Yea	Yea	22.87%	19.34%
House	Mike	Verchio	30	R	X	X	X	22.87%	19.34%
House	Lance	Russell	30	R	X	X	X	22.87%	19.34%
Senate	Thomas	Nelson	31	R	X	X	X	27.09%	27.70%
House	Charles	Turbiville	31	R	X	Yea	Nay	27.09%	27.70%
House	Fred	Romkema	31	R	X	X	X	27.09%	27.70%
Senate	Stan	Adelstein	32	R	Nay	Nay	X	20.63%	18.65%
House	Brian	Gosch	32	R	X	X	X	20.63%	18.65%
House	Brian	Dreyer	32	R	X	X	Yea	20.63%	18.65%
Senate	Dennis	Schmidt	33	R	X	X	X	21.75%	18.83%
House	Jacqueline	Sly	33	R	X	X	X	21.75%	18.83%
House	Phil	Jensen	33	R	X	X	X	21.75%	18.83%
Senate	Craig	Tieszen	34	R	X	X	X	23.77%	20.53%
House	Ed	McLaughlin	34	R	Nay	Nay	Nay	23.77%	20.53%
House	David	Lust	34	R	X	X	Nay	23.77%	20.53%
Senate	Jeffrey	Haverly	35	R	Yea	Yea	Yea	24.17%	23.29%
House	Mark	Kirkeby	35	R	X	X	Nay	24.17%	23.29%
House	Don	Kopp	35	R	X	X	X	24.17%	23.29%

Abortion Ban Vote – County Map



Abortion Ban Vote – Legislative District Map

IM11 Vote By District



2009 Letter to Legislators (Sample)

The following is a sample of a letter sent to each member of the 2009 Legislature. In every instance, references to election results and voting history were adapted to reflect the members' individual voting history as well as election results from their respective district.



SOUTH DAKOTA CAMPAIGN FOR HEALTHY FAMILIES

P.O. Box 1484, Sioux Falls, SD 57101-1484
605-221-5643 info@sdhealthyfamilies.org

January 7, 2009

Sen. Maggie Gillespie
29166 481st Ave
Hudson, SD 57034

Re: Reducing Abortions in South Dakota

Dear Sen. Gillespie:

Over the last several years, South Dakota's legislative sessions have involved divisive debate over the passage of restrictive measures to ban abortion in our state. In 2006, the Legislature passed and Governor Rounds signed into law a bill that would have banned abortion except when necessary to save a woman's life. That bill was later referred to the General Election ballot and South Dakota voters rejected the measure by a wide margin. In 2007, abortion ban proponents attempted to pass another ban through the legislature, but it stalled in Senate Committee after passing the House. Those same proponents brought a second abortion ban to a public vote by initiative, which South Dakota voters again rejected by a similarly wide margin.

Following the 2006 election, there was much discussion about whether the inclusion of more exceptions to the previous abortion ban would lead to passage. The 2008 election results prove that is not the case. South Dakota voters are not persuaded by nuanced differences in abortion ban legislation: they oppose banning abortion and reject government intrusion into medical decisions best made by doctors and families.

As the 2009 Legislative session begins, we wanted to take this opportunity to remind you of the election results for abortion bans in 2006 and 2008. Enclosed please find a copy of the South Dakota Campaign for Healthy Families' 2009 Post-Election Legislative Report. As you will note, South Dakotans have rejected two different abortion bans by more than 10 percentage points in consecutive elections. Opposition to both abortion bans was widespread – crossing party lines, geographic boundaries and generational divisions. In both elections, a majority of voters in 32 out of 35 legislative districts in South Dakota voted to reject efforts to ban abortion.

More specifically, while you have voted in favor of banning abortion in the past, voters in District 16 rejected the abortion ban by 9.94% in 2006 and by 5.81% in 2008. It is clear that your previous support for banning abortion is out of touch with your constituents. We strongly suggest that you reexamine your position and vote in line with the wishes of your District if any abortion ban legislation might be introduced in the future. We will be tracking any such developments very closely.

There is one thing we can all agree on: the goal of reducing the need for abortion in South Dakota. In light of our victory again in 2008, South Dakota voters have issued a mandate to politicians and activists: Government should not intrude on personal medical decisions, and instead should focus on improving education and expanding access to

contraception and other family planning services to reduce the incidence of unintended pregnancy and abortion in our state. In fact, post-election polling conducted for our organization found that by a 31 point margin, South Dakota voters favor prevention programs over further attempts to restrict access to abortion.

Spending so much time on this divisive political debate over banning abortion only distracts from more substantive matters. It is our sincere hope that you will help lead the legislature in a more productive direction in 2009 and beyond.

Should you have any questions about the results of the past two elections or ways that we can work together to reduce unintended pregnancy and the need for abortion in South Dakota, please do not hesitate to contact us.

Sincerely,



Jan Nicolay, Co-Chair
SD Campaign for Healthy Families



Elaine Roberts, Co-Chair
SD Campaign for Healthy Families

2009 Letter to Governor Rounds

The following is a copy of the letter sent to Governor Mike Rounds transmitting a copy of this legislative report to his office.



SOUTH DAKOTA CAMPAIGN FOR HEALTHY FAMILIES

P.O. Box 1484, Sioux Falls, SD 57101-1484
605-221-5643 info@sdhealthyfamilies.org

January 7, 2009

Governor Mike Rounds
500 E. Capitol Avenue
Pierre, SD 57501

Re: Reducing Abortions in South Dakota

Dear Governor Rounds:

Over the last several years, South Dakota's legislative sessions have involved divisive debate over the passage of restrictive measures to ban abortion in our state. In 2006, the Legislature passed and you signed into law a bill that would have banned abortion except when necessary to save a woman's life. That bill was later referred to the General Election ballot and South Dakota voters rejected the measure by a wide margin. In 2007, abortion ban proponents attempted to pass another ban through the legislature, but it stalled in Senate Committee after passing the House. Those same proponents brought the second abortion ban to a public vote by initiative, which South Dakota voters again rejected by a similarly wide margin.

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Should you have any questions about the results of the past two elections or ways that we can work together to reduce unintended pregnancy and the need for abortion in South Dakota, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Jan Nicolay".

Jan Nicolay, Co-Chair
SD Campaign for Healthy Families

A handwritten signature in cursive script that reads "Elaine Roberts".

Elaine Roberts, Co-Chair
SD Campaign for Healthy Families