



POLITICS & GOVERNMENT

# Wichita abortion clinic expands to Oklahoma amid controversy

By Gabriella Dunn

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Trust Women, a Wichita-based foundation, will open an abortion clinic in Oklahoma City in early summer. Trust Women founded South Wind Women's Center in Wichita in 2013. Thursday, the Oklahoma Legislature passed a bill that would have banned abort

Oklahoma Gov. Mary Fallin on Friday [vetoed a controversial bill](#) that would have banned abortion in that state.

The bill's sponsor, Republican Sen. Nathan Dahm, said the measure was aimed at ultimately overturning the U.S. Supreme Court's 1973 decision that affirmed abortion as a constitutional right nationwide.

Dahm said Friday that he was considering whether to try to override the governor's veto, which would require a two-thirds majority in each chamber, a threshold it did not meet in the House when it first passed. The bill passed on a 33-12 vote in the Senate with no debate on Thursday; it passed 59-9 in the 101-member House on April 21.

"Of course I'll consider it," Dahm told the Associated Press on Friday afternoon. "I'm weighing my options."

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The bill would have [made it a felony, punishable by up to three years in prison](#), for anyone who performs an abortion, including doctors. State law already makes it a felony for anyone who's not a doctor to perform an abortion, and Dahm's bill would have removed the exemption for physicians.

The move to outlaw abortions in Oklahoma occurred as a Wichita clinic is preparing to expand into Oklahoma City and open the first new abortion clinic in that state since 1974.

Julie Burkhart, founder and CEO of Trust Women, said she didn't know if plans for a new clinic influenced the Oklahoma Legislature's actions, but she said it was a possibility.

Burkhart opened Wichita's only surgical abortion clinic, South Wind Women's Center, in 2013.

She plans to open a South Wind clinic in Oklahoma City in early summer and said the clinic will provide abortions regardless of the bill's status.

Burkhart said Trust Women had not yet decided if it would pursue litigation against the state of Oklahoma if the bill becomes law.



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BY MCCLATCHY

But abortion-rights proponents say the bill could further deter providers from performing abortions in Oklahoma, and thus make it harder for women to obtain them.

Burkhart said she hopes providers would feel comfortable practicing in Oklahoma, "But I'm sure it would give one pause," she said.

As it is now, Burkhart flies doctors who perform abortions to Wichita. To staff the Kansas clinic, and soon-to-be Oklahoma clinic, she brings in doctors from the local area, region and nation.

To her, the layers of laws have become punitive.

"These laws have penalized women and caused hardship, further obstacles for women who are just trying to make the best decision for themselves, and for their families, and their future families, and their lives," she said.

## ABOUT THE BILL

The Oklahoma bill provided an exception for women who would otherwise die without an abortion.

Fallin, Oklahoma's governor, cited ambiguity of the exception when she vetoed the bill Friday.

"The absence of any definition, analysis or medical standard renders this exception vague, indefinite and vulnerable to subjective interpretation and application," she said in a statement.

The statement went on to say that Fallin is "the most pro-life governor in the nation" and that she continues to support a re-examination of Roe v. Wade, the court case that affirmed abortion as a constitutional right.

Rick Tepker, a law professor at the University of Oklahoma College of Law, who has argued before the Supreme Court, described the Oklahoma bill as plainly unconstitutional.

"It's just outrageous," he said. "It's an outrageous dereliction of duty," he said in reference to legislators who passed it.

The Oklahoma Legislature faces a \$1.3 billion budget hole as it nears its May 27 deadline for adjournment.

"By vetoing the law, she has averted another moment of embarrassment for Oklahoma," Tepker said of Fallin.

## CONFLICTS

Some who oppose abortion prefer an incremental approach to restricting it rather than an all-out ban like the one sought in Oklahoma.

Kansans for Life executive director Mary Kay Culp compared it to football. In Kansas, she said, abortion opponents are past the 50-yard line, headed toward the goal, and the public is supporting them.

"When you pass a broad-sweeping law, it's like a Hail Mary pass into the end zone," she said. "It can easily get intercepted and run the other way down the field. And we think we're in it for the long haul."

The group has helped pass 17 provisions related to restricting abortion in Kansas since Gov. Sam Brownback took office, she said. Oklahoma has taken similar actions.

Culp said she thinks Oklahoma's bill was well-intentioned but was not necessarily the best approach.

It just doesn't have a chance of being upheld by the court," she said. "It just doesn't. Not at this time."

## 'UNDERSERVED COMMUNITIES'

Burkhart had previously worked for seven years with physician George Tiller – a Wichita abortion provider who was shot and killed at his church in Wichita in May 2009. He was one of about a handful of late-term abortion providers in the country at the time.

Burkhart then started Trust Women with a mission to “open clinics that provide abortion care in underserved communities so that all women can make their own decisions about their health care.”

When the South Wind clinic opened in 2013, Wichita was the largest city in the U.S. that did not have an abortion clinic. Between October 2014 and October 2015, the clinic provided 1,498 abortions. Of those, 392 patients were from out of state, including 272 from Oklahoma, 32 from Texas and 31 from Missouri.

After an Oklahoma abortion provider retired in 2014, Oklahoma City became the largest city without an abortion provider, according to Trust Women.

That year, Burkhart said, Trust Women started talking seriously about opening another clinic.

The foundation purchased a former eye clinic in Oklahoma City in the spring of last year and started renovating it in December. The renovation involved a 95 percent gut of the building, Burkhart said.

She said they expect to see patients drive up from Texas because of wait for an abortion in that state.

Security for the Oklahoma facility will cost between \$65,000 and \$75,000 a year – the same cost of security at South Wind in Wichita.

Burkhart said she has faced roadblocks from the public and private sectors in order to open the clinics.

When she opened South Wind in Wichita, she said, she couldn't get a loan and raised cash for the \$750,000 to \$800,000 it took to open the clinic.

Trust Women will spend about \$1 million to open the Oklahoma City clinic. Most of that will be in cash, but in January, she said, she was able to secure a \$200,000 mortgage from a regional bank.

She said she also faced confusion with employees at the Oklahoma health department because no other organization had tried to open a clinic in Oklahoma since 1974.

And, she said, she faced obstructionists.

“I don’t think they approved of what we do, so they were trying to put roadblocks in our way,” she said.

## SUMMER OF MERCY

Burkhart was working at a Wichita abortion clinic near downtown in 1991 when thousands of abortion protestors gathered in Wichita for the Summer of Mercy.

“The hundreds and hundreds and hundreds of people, every day, who descended down on the clinic ... you had to be pretty darn committed to getting into work every day,” she said.

Burkhart said she was a college student at the time.

“It just really solidified my own personal beliefs that I don’t, as an individual, have a right to tell you, or anybody else, what their family structure is supposed to look like – what to believe in,” she said. “It’s just not my place as a human being.”

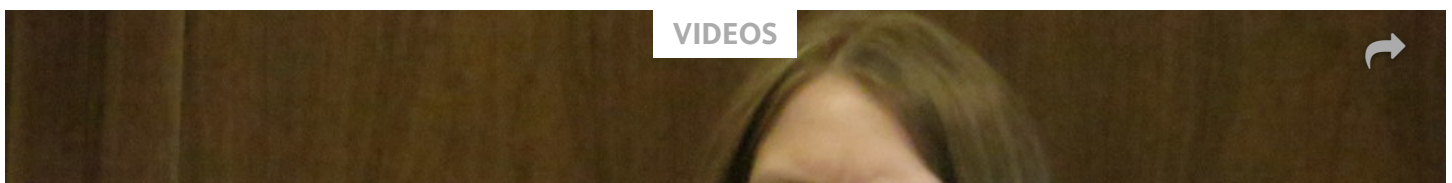
This year marks the [25th anniversary of the Summer of Mercy](#), a 46-day campaign that resulted in nearly 2,700 arrests as protestors blocked access to clinics.

Hundreds of people from around the country are expected to return to Wichita in mid-July for a week of protests, rallies and prayer vigils marking the anniversary. The agenda includes “street activities” outside the South Wind clinic.

Contributing: Associated Press

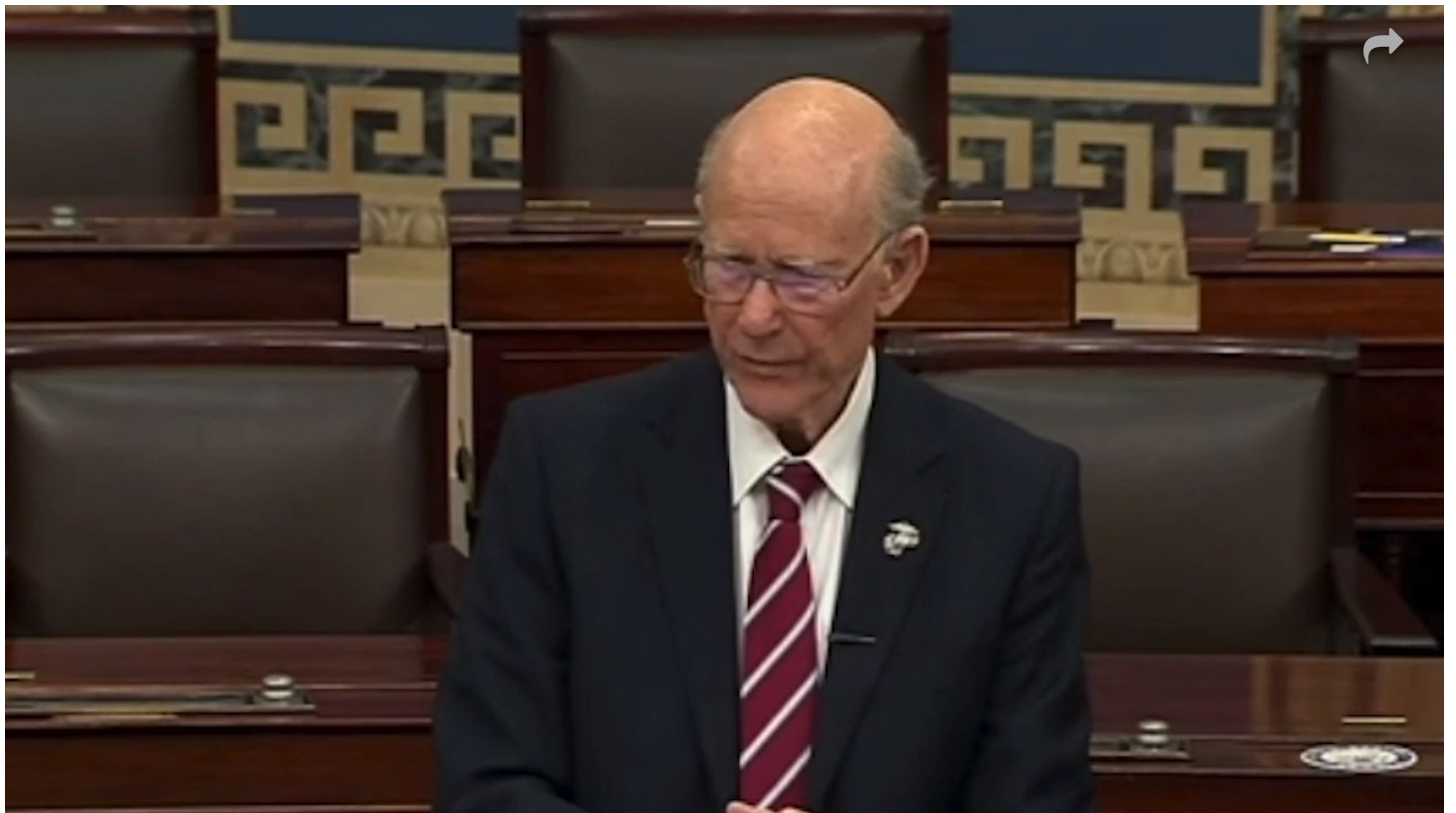
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