Wyoming Banned Abortion. She Opened an Abortion Clinic Anyway.

The only abortion clinic left in the state has been protested and set on fire, rebuilt and opened as Wyoming grapples with what it means to be conservative in a post-Roe nation.

Rather than leave the front lines of the abortion wars, Julie Burkhart pushed on in Wyoming. “I really reject the notion of putting facilities only in the safe states,” she says. Credit...Joanna Kulesza for The New York Times

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By Kate Zernike

Kate Zernike covers abortion for The Times and has written extensively about the fallout of the Supreme Court decision to overturn Roe v. Wade. She reported this story from Wyoming and Colorado.

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It was not such an implausible idea, back in 2020, when a philanthropist emailed Julie Burkhart to ask if she would consider opening an abortion clinic in Wyoming, one of the nation's most conservative states and the one that had twice given Donald Trump his biggest margin of victory.

In fact, Ms. Burkhart had the same idea more than a decade earlier, after an anti-abortion extremist killed her boss and mentor, George Tiller, in Wichita, Kan., where he ran one of the nation's few clinics that provided abortion late in pregnancy.

Dr. Tiller's work had drawn the wrath of the nation's anti-abortion groups — his clinic had been blockaded, bombed and flooded with a hose before he was shot to death while ushering his regular Sunday church service. When she reopened it instead of moving, the death threats and stalkers shifted to Ms. Burkhart, or, as they called her, Julie Darkheart.

Running a clinic in a red state had worn her down, and she was looking to put Wichita and all it represented behind her. But if Wyoming was even more conservative than Kansas, she understood that it was more Cowboy State conservatism, shaped by self-reliance and small government, less interested in regulating what people do behind their drapes.

So she said yes.

Then, three months before Ms. Burkhart planned to open her clinic in 2022, the Wyoming Legislature, pushed by a new Freedom Caucus, joined a dozen other states in passing a trigger law that would ban abortion as soon as the United States Supreme Court overturned Roe v. Wade.

After the court ruled, other abortion providers in states with trigger bans moved their clinics to safe havens in Illinois, Maryland or Minnesota. Ms. Burkhart, rather than leave the front lines of the abortion wars, pushed on in Wyoming, making her the only person in America to open an abortion clinic in a state that bans abortion.

“I really reject the notion of putting facilities only in the safe states, because the only way we’re going to preserve rights in this country is to go to these really uncomfortable places.” she said in an interview on the three-and-a-half-hour drive from her home near Denver to the clinic in Casper. “For us to say we’re going to concede in certain areas, I don’t think we’re living up to our words and what we say when we say we support the rights of everyone.”

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Ms. Burkhart drove three-and-a-half-hours from her home near Denver to the clinic in Casper. Credit...Joanna Kulesza for The New York Times

Instead of finding only resistance in a Trump-voting state, she has encountered the nation's complex politics of abortion post-Roe.

For all the ways Wyoming is unusual — roughly 600,000 residents, spread across a vast expanse of mountains, high plains and moon-like outcroppings — its recent politics turn out to resemble other red and purple states. Republicans have fractured, between the Freedom Caucus pushing bans on books and abortion on one side and those who see themselves as defending the state's more libertarian brand of conservatism on the other.

And as they have watched the consequences of banning abortion, many residents have discovered that their views on the issue are more complicated than they previously understood, that even if they would not choose an abortion themselves, there are situations where people need them. Most of all, they do not think it should be up to the government to decide.

"People, when it comes down to very deeply personal issues, and particularly health issues, they're going to do what they think is right, even if it's illegal," said Ogden Driskill, the president of the State Senate.

A sixth-generation rancher in the shadow of the massive rock formation known as Devils Tower, Mr. Driskill describes himself as pro-life but opposes banning abortion, for the same reason he defends his use of ivermectin, a drug used to deworm horses, to try

to fend off Covid, despite warnings that it is ineffective and unsafe. Most Wyomingites, he added, are like him.

“It’s what level of pro-life are you at,” he said. “If you’re using abortion as a form of birth control, probably a lot of people would say no. If it’s for a reason, probably most of them are willing to listen to what the reason is.”

Jeanette Ward, a state representative who moved to Casper in 2021 to escape what she called the “tyranny” of mask mandates in Illinois during the Covid pandemic, argued that Wyoming is still “overwhelmingly pro-life.”

“A loud minority would like to imply it is not so,” she added, but the Legislature overwhelmingly passed the abortion ban, and the governor signed it.

Ms. Burkhart is operating in that shifting space. Her clinic survives on an injunction from a judge, pending a trial in a lawsuit her clinic and other abortion rights supporters filed against the bans. Staking even a small claim in such a sparsely populated state, she argues, is a way to keep the conversation about abortion rights alive.

“I think it’s been proven time after time that you can’t make change without risk, right?” she said. “We owe it to ourselves to challenge these laws. Even if the clinic is only able to stay open four, 12, 24, 36 months, it’s how many people can you help in the meantime?”

The Summers of Mercy

Image





Abortion-rights and anti-abortion activists confront one another outside an abortion clinic in Wichita, Kan., on July 14, 2001, in a protest that kicked off the 10th anniversary revival of the demonstrations known as the Summer of Mercy. Credit...Charlie Riedel/Associated Press

For all her refusal to cede ground, Ms. Burkhart, now 58, does not come across as a firebrand. She speaks in even tones, her intonation barely changing as she lists the horrors that have shaped her career: “Arson, murder, flooding, stabbing, death threats.” (“Hmm,” she adds, quietly.) While others who knew and worked for Dr. Tiller refer to his murder or assassination, she talks about when “Dr. Tiller died.” And it is never George or Tiller, always *Doctor* Tiller.

She brushes off talk of the risks of her work almost passively: “I mean, you know, this is what I’ve decided to do with my life, or what my life decided to do with me.”