

Breaking News from the Press-Register

GOP gubernatorial candidates favor jail time for abortion doctors

By [George Altman](#)



(Kay Ivey/The Huntsville Times)

MONTGOMERY -- Doctors who perform abortions on demand would face time in prison if most Republicans running for governor in Alabama had their way.

All seven GOP candidates said abortion should be banned, with some favoring exceptions in a few specific instances. Five said that doctors violating such a ban should be imprisoned, and Bill Johnson, former director of the Alabama Department of Economic and Community Affairs, said he favored prison for doctors and patients involved in abortions.

"I am pro-life, no exceptions," Johnson wrote in an e-mail response to the Press-Register.

GOP candidate and former Alabama Supreme Court Chief Justice Roy Moore, would not say whether he thought that doctors or patients involved in abortions should be jailed, saying that matter should be up to the Legislature.

State Treasurer Kay Ivey, the only woman in the 2010 gubernatorial race, voiced the

majority GOP view: "Doctors ought to know better, and when patients are desperately asking for that, their mental state is not necessarily sound."

On the Democratic side, Agriculture Commissioner Ron Sparks declined to answer questions about abortion or other social issues. His opponent, U.S. Rep. Artur Davis, D-Birmingham, said neither women nor their doctors should be jailed for abortions. Davis did not say whether he supports abortion on demand but called it a "federal judicial issue."

In the 1973 *Roe v. Wade* case, the U.S. Supreme Court ruled that abortion is a right guaranteed under the Constitution and barred most state and federal restrictions on the procedure.

As long as *Roe* remains in effect, governors have limited sway over the matter. But abortion and other social issues arouse intense debate in Alabama and can play a key role in how voters view candidates.

Republican candidate Tim James, a Greenville businessman, said that federal judges have intervened in issues that were not theirs to decide.

"This question of abortion was grabbed, taken by the Supreme Court, and federalized illegally," James said. "Issues like abortion, gay rights, things like that are state questions."

Republican candidates all indicated that they wanted *Roe v. Wade* overturned. There was less consensus on what exceptions, if any, should come with an abortion ban.

State Rep. Robert Bentley, R-Tuscaloosa, and James Potts, a Bibb County financial professional, favored allowing abortion in cases of rape, incest or to protect the health of the woman.

"If your sister is raped by a man, and she is pregnant by that man, ... I don't think state government should force her to have that baby," Potts said.

In October, Bentley urged a constitutional amendment to ban abortion, allowing for those three exceptions.

Former state Sen. Bradley Byrne, R-Montrose, agreed that abortion should be a legal option in rape and incest cases, though he added that it's "a painful thing for me to say."

Byrne said that a provision allowing abortions for the "health" of a woman could be abused: "That is a huge exception, through which every abortion could be driven."

Like Byrne, Ivey said that such an exception should be limited to saving the life of a woman. She said that she does not support exceptions for rape or incest.

Johnson, James and Moore called for a complete ban on abortion, with no exceptions. Johnson said that medical science has progressed to the point where there are almost no cases in which abortion is necessary to protect the life of the mother. If a woman is raped, he said, "it is possible to prevent conception and, therefore, there is no need for an abortion."

James and Moore said abortion is an all-or-nothing question; either a human being is created at the moment of conception and must be protected, or it is not, they argued.

"You have to declare whether it's legal or illegal to kill a child in the womb," Moore said.