



ABORTION POLICY

# From Roe to Dobbs and Beyond: Diane Derzis' lifetime in abortion care

She began working in clinics in the 1970s. Running a clinic in Birmingham showed her the need. And the threats.

BY: **DEVON HEINEN** - JUNE 24, 2024 7:01 AM



Diane Derzis sits in her home on Friday, May 10, 2024 in Birmingham, Alabama. Derzis has worked for decades as an abortion clinic provider. She owned the clinic in Jackson, Mississippi at the center of Dobbs v. Jackson Women's Health Organization, the 2022 decision where the U.S. Supreme Court overturned federal abortion rights protections. (Stew Milne for Alabama Reflector)

Eight o'clock had rolled in. It was the morning of Dec. 1, 2021. Dressed casually in jeans and a top, Diane Derzis was hanging out in a bedroom at her guesthouse on the property she owned

## From Roe to Dobbs and Beyond

*Diane Derzis' Lifetime in Abortion Care*

in Pecos, New Mexico, about 30 minutes southeast of Santa Fe.

The bedroom's décor was Southwestern. Native American art and abstract works – all local, all found by Derzis – hung on the walls.

She was on her phone but not to make a call. Instead, she was listening to oral arguments in United States Supreme Court case 19-1392: Dobbs v. Jackson Women's Health Organization.

Three years earlier, Jackson Women's Health Organization, the only abortion clinic in the state of Mississippi, filed a lawsuit challenging a near-total 15-week abortion ban in the state. Derzis was one of the clinic's co-owners. The clinic racked up victory after victory in the lower courts. But with each win came a new appeal from the state.

"Mr. chief justice, and may it please the court," Mississippi Solicitor General Scott Stewart said, beginning his opening remarks. "Roe v. Wade and Planned Parenthood v. Casey haunt our country."

The Santa Fe area had always been a place where Derzis, then 67, found serenity. But that was before that morning.

Monday is the 2nd anniversary of the U.S. Supreme Court's ruling in Dobbs v. Jackson Women's Health Organization, which ended federal abortion rights protections in the United States. Today the Alabama Reflector begins a four-part profile of Diane Derzis, the owner of the clinic at the center of the decision, and her lifetime in abortion care.

**Part 1:** Diane Derzis went from working at an abortion clinic in Birmingham in the 1970s to running Summit Medical Center in the 1980s and '90s. She quickly became acquainted with the need – and the threats.

**Part 2:** Diane Derzis bought an abortion clinic in Birmingham and came face-to-face with violence.

**Part 3:** She had an opportunity to buy an abortion clinic in Mississippi, and took it. And that clinic, Jackson Women's Health Organization, was at the center of a lawsuit that ended abortion rights protections in the United States.

**Part 4:** How Derzis navigated the post-Dobbs landscape, and found a new home for the Jackson clinic.

“They have no basis in the Constitution,” Stewart continued. “They have no home in our history or traditions. They’ve damaged the democratic process. They’ve poisoned the law. They’ve choked off compromise.”

Derzis held her phone up to hear as she listened. She didn’t have headphones. And even if she did, she wouldn’t have known how to use them. Technology wasn’t her thing.

“For 50 years, they’ve kept this court at the center of a political battle that it can never resolve,” Stewart told the justices. “And 50 years on, they stand alone. Nowhere else does this court recognize a right to end a human life.”

After a while, Derzis took off. She had to get out of the house and blow off some energy. Greeted by the chill in the air, she walked around her sprawling property. She kept listening, though.

Hearing oral arguments play out that morning was hell. The case was lost, Derzis felt. She was depressed. And angry. Angry that the U.S. elected Donald Trump president.

Derzis’s mind is a whirlwind, routinely multitasking. But as she listened to the oral arguments, her brain found another gear. It whizzed a mile a second, going in a handful of different directions as that morning’s proceeding played out at the nation’s high court. She thought about the excitement within the anti-abortion community. As well as the horror of those supporting abortion rights.

Another thought: Did she have the energy to do what needed to be done? She was in uncharted waters and didn’t know what that was.

Yet another: How far back would overturning Roe put women? And how long until birth control would get taken away?

There was stuff regarding her clinic in Mississippi that she needed to take care of.

Eventually, Derzis bailed on the livestream. She just couldn’t take it anymore.

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Derzis lives in Birmingham with 10 dogs and two parrots. There’s a Southern twang to her voice. Her laughs are hearty. She is 70 years old and stands 5 feet, 4 inches tall, with very short, curly hair – light

brown with highlights – to go along with brown eyes. You might catch her in jeans with a big top and a big diamond ring. She describes her look as eccentric. And she has fun with it.

Derzis is a what-you-see-is-what-you-get kind of person. Not pretentious. A thinker and multitasker. Always on the move.

When it comes to politics, Derzis is a Yellow Dog Democrat. She's fiscally conservative, but socially progressive.

It wasn't always this way. Derzis used to be a Republican. Richard Nixon got her vote. At least in part, she flipped because she hated Ronald Reagan, his Hollywood background and his opposition to abortion.



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The oldest of three, Derzis was born on Feb. 24, 1954. She grew up in McGaheysville, Virginia, a small town a little more than an hour or so northwest of Charlottesville. She estimates that maybe 500 or 600 people lived there. It had a post office, a gas station and a country store.

She calls her life there simple, happy and middle-class. Her father worked as an insurance agent. Her mother, Derzis's role model, worked a variety of jobs. She was very strong. She encouraged Derzis to develop skills that would ensure Derzis could always find work. She required her daughter to take a typing class in high school.

"The message was you can do anything," Derzis said. But as she got older, her mother told her not only what she was capable of but what wasn't needed.

"It was, 'You don't need a man. You don't need a man. You can do anything yourself,'" she remembered. "And that was, in retrospect, exceedingly important."

After graduating high school, Derzis enrolled at Madison College – now James Madison University – in the fall of 1972. A little over a year later at age 19, she was married. By then, Derzis had dropped out of college.

Derzis and her then-husband moved to Alabama in 1974. That year, she got pregnant. The pregnancy horrified her.

“There were so many things I wanted to do,” she said. “I wanted to finish school, and I knew that I had a life and it did not consist of being poor and having a child and a husband.”

In January 1975, Derzis visited an OB-GYN who had a doctor’s office in Homewood, outside Birmingham. The Supreme Court’s ruling in *Roe v. Wade* had legalized abortion nationwide two years earlier. However, Alabama didn’t have any dedicated abortion clinics at the time. In the waiting room at the doctor’s office, a thought struck her.

*Jesus, God, look at all these people here.*

## Post-Dobbs, reproductive health clinics in Alabama see uncertain future

The West Alabama Women’s Center in Tuscaloosa received a donation from the Women’s Donors Network that saved the clinic from closure. They’ve also raised nearly \$200,000 via individual donations through PayPal. But despite that, Robin Marty, the operations director

They were all there for the same reason she was. There were young people. Middle-aged. Old. One couple waiting was from Tennessee, the woman in a long dress and old shoes, the man in overalls.

Her abortion cost \$125. She paid in cash. It was the only method of payment allowed.

A day later, Derzis saw a political advertisement on TV. A woman running for office was discussing her anti-abortion views. The ad had fetuses.

“The anger started then of, ‘How dare you try to tell me that I just killed a baby?’” Derzis said. “That’s how it started.”

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Derzis returned to college later that year, enrolling at the University of Montevallo, where she studied psychology and sociology. She graduated in 1978.

After starting her studies, an abortion clinic opened up in Birmingham. For months, Derzis hounded the clinic for a job. She wasn't picky. She just wanted to work there.

Finally, a job offer came. It was early 1976, and she made \$5 an hour as a counselor.

As a counselor, Derzis explained the procedure to potential patients and how they'd feel during the operation as well as after it. And it was her job to create a rapport and establish trust with the potential patients, so that they'd feel comfortable asking questions. Derzis also wanted to make sure potential patients wanted to go forward with their abortion.

She eventually left the clinic and spent some time selling cars. One day, a golden ticket showed up in the form of a guy from Boca Raton, Florida. He owned multiple abortion clinics and was opening a new one in Birmingham. And he wanted Derzis to run it.

The clinic became Summit Medical Center. Running that clinic was when Derzis grew into a businesswoman. She ran the new clinic as if it was her own.

She also started lobbying the state Legislature on behalf of Summit Medical Center. According to the Birmingham Post-Herald, legislators nicknamed her the "Abortion Queen." She wore the nickname as a badge of honor.

The Summit years were also when Derzis got her first real taste of anti-abortion protesters. Protesting is a right she backs. She draws the line, though, when protesting infringes upon someone else's rights. That line, she said, was crossed during her years running Summit Medical Center. Repeatedly.

Patients coming and going would get harassed. The clinic's front entrance would get glued shut with an adhesive. The first time the entrance got glued shut, it temporarily shut the clinic down for a couple hours. From then on, Summit Medical Center didn't miss a beat when its glass front doors were sealed.

The clinic adapted. The staff figured out new ways to get people in and out. As a result of protests outside the clinic occasionally escalating, Derzis hired an off-duty police officer to work as a guard.

Summit Medical Center got a fax at least every other week from an organization called the Feminist Majority, which routinely sent abortion clinics information about dangerous protesters. Photos. Where they had been. Their police records.

Sometimes, during bigger protests, protesters would surround Summit and chain themselves to the clinic's metal fence. Derzis remembers one time when staff and patients at the clinic were trapped.

“It was scary. I mean, you could see the hatred, you could feel the tension and the hatred and vitriol,” Derzis said. “To this day, I was so surprised there were not patients killed, or their persons that brought them.”

There were multiple bomb threats, too. It got to the point that the staff just ignored them. People at the clinic were told how to open mail and when to not open it at all.

“There was nothing that was not a problem or a potential problem,” Derzis said. “It was crisis, crisis, crisis mode. And, to be honest with you, we thrived.”

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– *Diane Derzis*

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Early on at Summit, Derzis hired a doctor. Right around the time he was about to start working at the clinic, though, he backed out. The reason: Someone had broken into his garage and left a note on the windshield of the car inside. It said the doctor had two children to lose.

“The message was, ‘We can get to you anytime we want to,’” Derzis explained.

One day, Derzis noticed someone had removed four Yucca plants at her house. Each was 5- or 6-feet tall. Removing the poisonous plants opened up a direct shot for a sniper, she realized. That's just how her brain was wired.

Derzis believes the target was a doctor from out of the area who occasionally worked at Summit Medical Center. That doctor stayed at Derzis's house.

Threats to her life were always in the back of Derzis's mind. She looked in her rearview mirror when she would go home. She carried pepper spray, a taser and a Smith & Wesson gun. But that worry never reached the tipping point that would have made her want to quit working at the clinic.

Still, she was burned out.

"I didn't know who Diane was anymore outside of the abortion-clinic woman because that was all-consuming – and that was no one's fault but my own," she said.

Derzis started going to a therapist. One day, the therapist told her that she knew the answers and had known them since the day she walked into the therapist's office. The question the therapist posed was: What was she going to do about it?

She had to change her life. The Abortion Queen had to hang up her crown.

"It was terrifying," she said.

*Next: Derzis gets back into abortion clinic management and comes face-to-face with violence.*



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ABORTION POLICY

# From Roe to Dobbs and Beyond: The Birmingham bombing, and the aftermath

A personal view of a horrifying clinic attack that sent shockwaves through the nation in the late 1990s.

BY: **DEVON HEINEN** - JUNE 25, 2024 7:01 AM



📷 Emily Lyons and husband Jeff Lyons speak to reporters outside the Hugo L. Black Federal Courthouse on April 13, 2005 in Birmingham Alabama. Emily Lyons, the head nurse at New Woman All Women Clinic in Birmingham, lost an eye after Eric Rudolph bombed the clinic on Jan. 29, 1998. Robert Sanderson, an off-duty Birmingham police officer who worked security at the clinic, was killed in the attack. Rudolph later pled guilty to the attack and three others, receiving two life sentences in prison. (Brian Schoenhals/Getty Images)

Diane Derzis had worked in abortion care in Birmingham in the 1980s and 1990s. She had lobbied the Alabama Legislature for abortion rights protections, earning

## From Roe to Dobbs and Beyond

*Diane Derzis' Lifetime in Abortion Care*

the nickname “The Abortion Queen.” She had faced threats to her life. And protestors who once trapped her and her patients in the clinic.

By her early 40s, she was burned out. On her therapist’s advice, she left Alabama and returned to Harrisonburg, Virginia, where she first went to college.

In Virginia, life was slower and less exciting compared with what she had just given up. But it was peaceful. She served as an instructor in a vocational higher education setting and worked in real estate. She lived about 15 minutes away from her family and often had Sunday dinner with them. Derzis hadn’t had that kind of time with family in years.

But life away from abortion care would prove to be fleeting. Just six months.

In 1996, Derzis got a phone call about a clinic in Birmingham, Alabama. Did Derzis want to buy it?

The clinic, New Woman All Women Health Care Clinic, would be the first Derzis owned. The clinic wasn’t brand new, and her co-owner was one of the physicians who worked there. Derzis

Monday was the 2nd anniversary of the U.S. Supreme Court’s ruling in *Dobbs v. Jackson Women’s Health Organization*, which ended federal abortion rights protections in the United States. This is the second of a four-part profile of Diane Derzis, the owner of the clinic at the center of the decision, and her lifetime in abortion care.

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didn't have to worry about the minute-by-minute, day-by-day operations. She hoped she would be able to do the work she loved in a new way that might address the burnout that led her to leave the field.

But that was not how it played out.

At least every other day, Derzis was on the phone. Sometimes she'd visit the clinic in person, driving over in her recreational vehicle. Derzis would stay for four or five days, once again the Abortion Queen.

On Jan. 29, 1998, Derzis was getting dressed and having some coffee in Harrisonburg. She got a call. On the other end of the line was New Woman All Women Health Care Clinic's administrator.

"The sirens you hear are coming for us," Derzis remembered the administrator saying. "They've blown up the clinic."

The line disconnected. Derzis turned on the TV. Every channel she flipped to had coverage of the bombing.

She repeatedly tried calling the administrator back. No answer.

It was cloudy and frigid that morning in Birmingham. Robert Sanderson, an off-duty Birmingham police officer, was at the clinic, working a shift as a security guard. Outside the front door, before any patients had arrived for appointments, Sanderson noticed something odd in the shrubbery.

Just then, New Woman All Women Health Care Clinic's head nurse, Emily Lyons, was at the door about to enter. As Sanderson leaned over to investigate, a man named Eric Rudolph, watching from across the street, used a remote control to detonate the bomb.

It was 7:33 a.m.

The blast was felt for miles.

Sanderson was killed by the bomb.

Lyons was severely injured. The explosion damaged her eyes, tore off teeth and eyelashes, and put a hole in her chest. Her face was full of rocks. The right side of her skull was broken.

The bomb shattered her left leg, ripped skin from her shins and burned her right arm. Shrapnel lodged itself in her chest.

The bomb was housed in a plastic toolbox. The toolbox had been purchased at Walmart. Nails and gravel made up at least some of the shrapnel that was inside the bomb. Shrapnel reached the chairs and the front desk inside the clinic's lobby on the ground floor and even up into a second floor waiting area.

Derzis doesn't think the bomb was designed to damage the clinic. Instead, she said, it was made to kill patients and staff.

At the time of the bombing, Rudolph was 31 years old and a resident of Murphy, North Carolina. Later that year, the U.S. Department of Justice would charge Rudolph with the 1996 bombing at Centennial Olympic Park in Atlanta, Georgia, that killed one person and injured at least 111 others, and bombings that happened in 1997 at an area health clinic in Atlanta and an Atlanta nightclub. The latter injured five people. By the time the Justice Department announced those charges, Rudolph had already been charged for the bombing attack at New Woman All Women Clinic.

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Instantly that morning in Virginia, Derzis thought the bombing was her fault.

"Clinics in the country at that time, most of them were very quiet. People didn't do press," she said. "It was just quiet, but that's not how I thought it should be. I thought it should be not tucked aside and shameful, but it should be talked about. There should be a face there, and there's someone to answer questions and, you know, and all of that. But all of that also had a price, 'cause I called attention."

## U.S. Supreme Court urged to protect emergency room abortion care ahead of arguments



A doctor in Idaho recently saw a pregnant patient whose water broke at 15 weeks of pregnancy — something that normally happens at 38 weeks or later. It was about eight weeks before the fetus could be delivered and survive, even with medical intervention. Amniotic fluid, released when

the water breaks, is critical to fetal ... Continue reading



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People at the clinic paid the price for Derzis being who she was, she felt. After all, there were three clinics in Birmingham at the time, and Rudolph chose hers.

Derzis had to get to the clinic the morning of the bombing. She got a flight out of Charlottesville, Virginia, to Birmingham, with a connecting flight in Atlanta. While watching the news in Atlanta and waiting to board her flight, an agent with the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives walked over and introduced himself. They'd sit with each other on the flight to Birmingham and talk for the whole flight.

A crowd of journalists was waiting for Derzis at the airport in Birmingham. Hollering at her, they tried to get a comment. They stunned her. She wasn't expecting them – and there were so many of them. Skipping them, Derzis headed straight to her clinic. But

she couldn't get to it. Streets were barricaded off for three or four blocks.

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Derzis didn't see any option but to stay in Birmingham and make sure the clinic was running again. She needed to do something positive. And there was an emotional-support element, too. She wanted to help.

New Woman All Women Health Care Clinic would reopen a week after the bombing.

On reopening day – Feb. 5, 1998 – the clinic's windows were still damaged. Replacements had to be specially ordered. A handful of TV satellite trucks were there. Friends of hers – owners of other clinics – were there, too. Two were from North Carolina, one from Atlanta. They helped out.

Despite everything, the clinic's phones rang nonstop that day, just like normal. Women came in for care, even coming from some from as far as Huntsville, a 90-minute drive. Most of the women that showed up didn't even know a bombing had occurred.

“That normalcy, it was such – I don't even know. You think about, you know, Emily's fighting for her life, Sandy's dead, and we're open and back in business,” Derzis said. “It was just surreal.”

Derzis would stay in Birmingham for about a week or so after her clinic reopened.

“The clinic didn't need me there,” Derzis explained. “That healing had to be from within.”

Her first week home at her farm in Virginia, Derzis was antsy. Naturally a big reader, she started devouring books left and right. She slept little. This would go on for weeks. And she couldn't shake the thought that the bombing was her fault. Randomly, she'd start crying. Crying made her think she was weak – Derzis doesn't like weakness.

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The clinic didn't need me there. That healing had to be from within.



– Diane Derzis

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Family dinners during those first few weeks back home were filled with silence from her loved ones about the bombing. That silence ate Derzis up.

Derzis had hardly known Lyons before the bombing. But she visited Lyons during her monthlong stay in the hospital. For at least two of those weeks in the hospital, Lyons was on a ventilator and in a medically induced coma. Shortly after the explosion, her left eye had to be removed along with some of her intestine.

The first time after the bombing that Lyons remembers seeing Derzis was after her stint in the hospital and then a monthlong stay in rehab for physical therapy. Derzis visited her at her house. She was in a hospital bed in the living room.

The second time, they went out to dinner. Lyons's husband, Jeff, went, too. Lyons was in a wheelchair. Jeff had to read the menu to her. And she had to have help with eating.

The first year after the bombing was physically challenging for Lyons. There was physical therapy. She had to relearn how to walk up the stairs in their three-story home. Doctor visits took place every week. A nurse would come to the house and do dressing changes every day. Lyons remembers the nurse cleaning holes in Lyons's legs with Q-tips and peroxide before applying gauze soaked in iodine. She would try to take a pain pill before the visits, "because it's like pouring salt in a wound," Lyons said.

"The fire is unimaginable," she said. "And then at nighttime, Jeffrey would have to do the same thing. And he hated to see that he had to cause pain."

Seeing Lyons in that first year was a reality check for Derzis. She said Lyons' suffering put her own struggles in perspective.

Over the years, Lyons would have more than 50 surgeries resulting from the bombing. At some point, a doctor told her he had never seen anything outside of war like what Lyons endured. In one operation, in April 2023, a piece of plastic – about a quarter of an inch in size – was removed from Lyons's sinus. That piece of plastic was part of the tool box that the bomb was housed in. It had been in her sinus for 25 years. Though faded, there was still a hint of green to it.

Dinners with Lyons and Jeff would continue over the years for Derzis. They'd become friends.

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📷 Former U.S. Attorney Doug Jones speaks to reporters on Wednesday, April 13, 2005 in Birmingham Alabama. Doug Jones was the U.S. Attorney during the 1998 bombing of New Woman All Women abortion clinic, which killed Robert Sanderson, an off-duty Birmingham police officer working security at the clinic, and injured Emily Lyons, the head nurse. Jones was elected to the U.S. Senate in 2017. (Brian Schoenhals/Getty Images)

The morning of the bombing at New Woman All Women Health Care Clinic, Doug Jones was headed to Birmingham's Southside neighborhood. Jones was the U.S. Attorney for the Northern District of Alabama at the time. He'd later become a U.S. Senator, representing Alabama as a Democrat. He had a breakfast meeting with a journalist from the Birmingham News to get to. They were going to talk about Jones's first five months on the job. On the way to breakfast, he heard about the bombing.

Jones made his way to the scene. Robert Sanderson's dead body was still there when he arrived.

A task force was created that morning to work on the investigation into the attack.

Birmingham's police department, the FBI, and the Justice Department's Bureau of Alcohol, Tobacco, Firearms and Explosives were all part of it.

Jones helped coordinate things for the task force: "where investigations should go, who would be doing those investigations and how, as well as the legal ramifications that always come up," he explained. "For instance, when you needed to get a search warrant, when you need to get an arrest warrant, when you need to get a material witness warrant, when to go public."

That morning, a student attending the University of Alabama at Birmingham noticed something.

"This was an 18-year-old kid, OK? This was an 18-year-old kid at the time, who heard the bomb," Jones said. "He was doing his laundry in the basement of a dorm, heard the explosion, looked out

the window, saw people moving toward the plume of smoke from the bombing – except for one person, who appeared to be wearing a disguise and was walking very hurriedly away. And he thought that was very suspicious, and he went outside, walked around his car, [and] saw him.”

That was Eric Rudolph. But then the student lost sight of him. After a little while, the student got another person to help search.

Before long, the two spotted Rudolph getting into a gray Nissan pickup truck. And they'd go on to get the truck's license plate information.

“And that's how we identified him. Of course, we didn't know Eric Rudolph's name at the time. We knew that Eric Rudolph owned the truck, but we weren't able to identify him, per se,” Jones said. “But I'm tellin' you, without the fortitude of that 18-year-old kid, I don't know if that case would ever have been solved.”

Rudolph would get charged with the bombing within weeks. By then, he was on the run.

During his time on the case, Jones interacted with Derzis. He remembers she was thankful for the work that law enforcement was doing on the case.

In 2003, the manhunt for Rudolph came to an end. Five years had come and gone since he bombed Derzis's clinic and then disappeared. Finally, he was caught.

A journalist called Derzis within an hour of Rudolph's apprehension. She was at the clinic, and hadn't heard yet.

*Thank God*, she thought.

In 2005, Rudolph pleaded guilty to the bombings. He was sentenced to two life terms behind bars.

*Next: Diane Derzis gets an opportunity to buy an abortion clinic in Jackson, Mississippi – one that will be at the center of the most important Supreme Court case of the 21st Century.*

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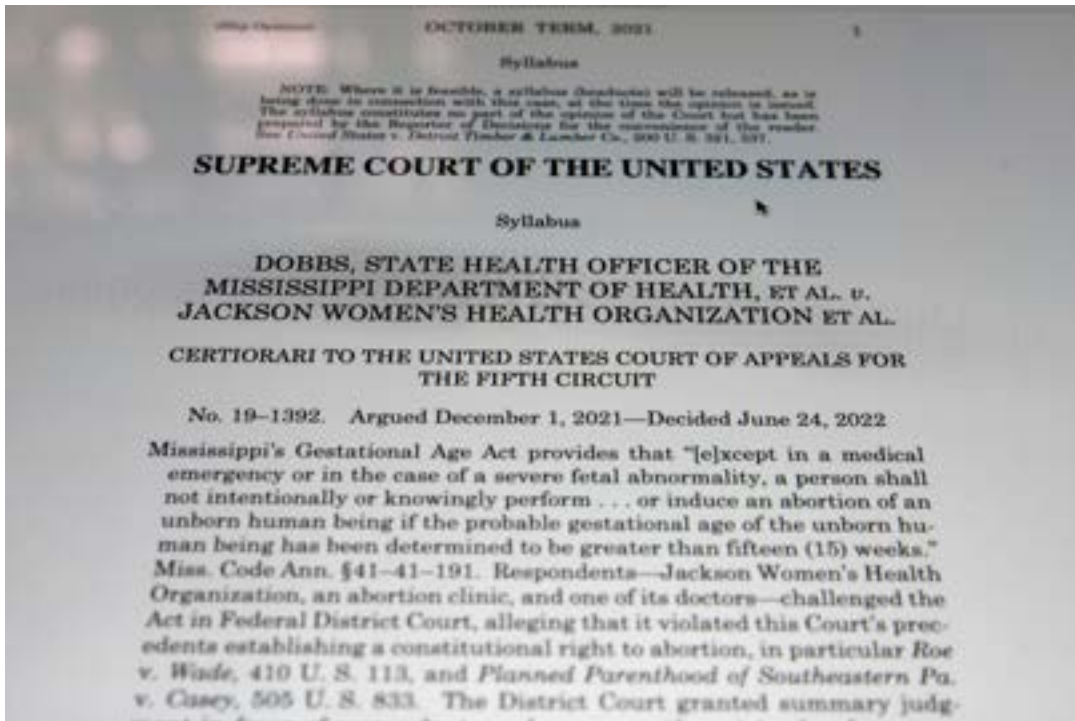


ABORTION POLICY

# From Roe to Dobbs and Beyond: The last clinic in Mississippi

When the state tried to ban abortion, Diane Derzis went to court – and won. Then the U.S. Supreme Court changed.

BY: **DEVON HEINEN** - JUNE 26, 2024 7:01 AM



The U.S. Supreme Court decision in Dobbs v Jackson Women's Health is seen on June 24, 2022 in Washington, DC. The court's decision, which ended federal abortion rights protections, also ended a years-long legal battle between the state of Mississippi and the clinic in Jackson Mississippi, owned by Diane Derzis. (Chip Somodevilla/Getty Images)

Not a single employee of the New Woman All Women Clinic in Birmingham quit after it was bombed in 1998.

It would always be the abortion clinic that got bombed – the place where

## From Roe to Dobbs and Beyond

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security guard and police officer Robert Sanderson died, and head nurse Emily Lyons was severely injured.

Those facts weren't ever going to change.

But owner Diane Derzis kept the clinic functioning, and a new normal quickly developed, she said.

Photos were hung up inside the clinic that showed what it looked like following the attack. The images served as a reminder for everyone – patients and employees alike – of the lengths that someone in the anti-abortion community went to in order to try to stop women from having access to a safe abortion.

Still, the doors were open. Patients came in. Abortions were done. It would stay like this for years.

Then, in early 2012, the state of Alabama came for the clinic's license.

In a news release dated April 30 of that year, the Alabama Department of Public Health (ADPH) "proposed to revoke the license of New Woman All Women Health Care in Birmingham due to multiple and serious violations of State Board of Health rules."

Monday was the 2nd anniversary of the U.S. Supreme Court's ruling in *Dobbs v. Jackson Women's Health Organization*, which ended federal abortion rights protections in the United States. This is the third in a four-part profile of Diane Derzis, the owner of the clinic at the center of the decision, and her lifetime in abortion care.

**Part 1:** Diane Derzis went from working at an abortion clinic in Birmingham in the 1970s to running Summit Medical Center in the 1980s and '90s. She quickly became acquainted with the need – and the threats.

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**Part 4:** How Derzis navigated the post-Dobbs landscape, and found a new home for the Jackson clinic.

Derzis denied that claim. She said the issue was documentation-related and that no one was hurt. Still, she agreed to turn in the clinic's operating license.

ADPH said in the same release that “a consent agreement allowed the opportunity for another entity or individual being ‘independent from and not affiliated with New Woman or its officers and directors’ to seek a license to operate the center.”

When New Woman All Women Health Care Clinic closed, Derzis owned three other clinics. One of them was in Columbus, Georgia. Another was in Richmond, Virginia. And the third was in Jackson, Mississippi.

At one point, Jackson had five abortion clinics. But by 2010, Jackson Women's Health Organization was the last one in the entire state.

The clinic didn't have an owner after its previous owner – a friend of Derzis' – died of breast cancer.

Originally, the area Jackson Women's Health Organization called home was blighted and impoverished. But by the time Derzis toured the clinic in 2010 to check it out, the neighborhood had gentrified and transformed into the Fondren District, a place where people came to shop and eat.

The clinic had potential, she thought. It just needed a little love and care. The building needed work. As Derzis made her way through the clinic, a trashcan sat underneath a leak in the roof in the lab. Anti-abortion brochures floated in the pooling water.

What really stood out to her when she visited was who was there.

She started talking with patients as they waited for their appointments. Some were older and already had kids. They didn't want more. Others were barely teenagers and there with their mothers, who were determined that their daughters would have a better future and chance of success.

“To this day, I love Jackson, Mississippi,” Derzis said.

Owning Jackson Women's Health Organization created a new kind of responsibility. Up until then, she had never been part of an abortion clinic that was the only one in an entire state.



Access to abortion services varied widely by region, even before the recent radical shift, according to a 2022 [study](#) by The University of California San Francisco Bixby Center for Global Reproductive Health’s Advancing New Standards in Reproductive Health (ANSIRH) program.

According to the study, in 2021 there was roughly one abortion clinic for every 94,000 women in the United States. But in the South, the ratio was roughly one facility for roughly every 158,000 women. Mississippi – with its sole clinic – had a ratio of one facility for roughly 675,000 women of reproductive age.



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Derzis was cognizant of that. But it didn’t faze her. She bought the clinic with two business partners. The three of them also bought the clinic’s building. Not long after, she got to work putting her stamp on both the clinic and building.

And it wasn’t just fixing the roof. Derzis wanted to make sure Jackson Women’s Health Organization felt like a private clinic where patients would be taken care of. And she wanted employees to be happy working there.

She forked over the money to repair the roof and overhaul the interior aesthetic. Stuff got painted. Orange. Yellow. Fuchsia. Women-related artwork from a local artist got installed. Red leather furniture showed up.

She wasn’t done. When Derzis first visited, Jackson Women’s Health Organization was known locally as “The Pink House.” A couple years after buying the clinic, Derzis thought to herself that the exterior of the building kind of looked pinkish in color. In no time at all, she decided to act. The outside of the clinic’s art deco home was given a Pepto-Bismol pink paint job. The building blended in with others there in the Fondren District, which had buildings painted in purple or yellow.

In time, the clinic’s nickname would be known nationally. Internationally, too.

• • • •

On March 19, 2018, a 15-week abortion ban became law in Mississippi. It was the strictest ban in the country. Named the Gestational Age Act, it only had two exceptions: medical emergency and severe fetal abnormality.

At the signing ceremony for that piece of legislation that day, Mississippi Gov. Phil Bryant, dressed in a dark suit with a patterned blue tie and a white dress shirt, sat behind a large brown desk. He was flanked by well-dressed men and women.

“You know, I love when Mississippi leads the nation saving the unborn, protecting religious freedoms,” Bryant said, a pen in his right hand, according to [a video posted to his Twitter account](#). “And they always go around and go, ‘Yeah, but y’all are in last, like, in eating enough apples or something,’” he quipped.

The crowd chuckled.

“But we are saving more of the unborn than any state in America, and what better thing we could do?”

Putting pen to paper moments later, Bryant signed the bill.

“And we’ll probably be sued here in about half-hour,” he said.

Heartier laughs filled the room.

“That will be fine with me,” he said. “It is worth fighting over.”

It wasn’t half an hour. But Bryant wasn’t far off. Before the end of the day, the international human-rights organization Center for Reproductive Rights – composed of lawyers and advocates – filed a legal complaint. It also asked the U.S. District Court for the Southern District of Mississippi’s Northern Division to issue a temporary restraining order that would block the new abortion ban.

Derzis had talked to the Center about working together when the Gestational Age Act was working its way through Mississippi’s state Legislature. The two had worked together in the past. She didn’t see any option other than suing in regard to the Gestational Age Act.

The temporary restraining order was granted the next day. Eight months later, a federal judge permanently blocked the Mississippi law.

“The court’s frustration, in part, is that other states have already unsuccessfully litigated the same sort of ban that is before this court

and the state is aware that this type of litigation costs the taxpayers a tremendous amount of money,” U.S. District Judge Carlton W. Reeves wrote in his Nov. 20, 2018 opinion. “No, the real reason we are here is simple. The state chose to pass a law it knew was unconstitutional to endorse a decades-long campaign, fueled by national interest groups, to ask the Supreme Court to overturn *Roe v. Wade*.”

Mississippi officials appealed to the conservative U.S. Court of Appeals for the Fifth Circuit. The Fifth Circuit shot it down on Dec. 13, 2019.

That ruling made Derzis think the case, *Dobbs v. Jackson Women’s Health Organization*, was done for good.

“To have a win there was unheard of,” she said. “That’s why we were so encouraged, because this is one of the worst courts in the land.”

But a small part of her wasn’t dancing for joy just yet. She’s cynical, she said. And Mississippi wasn’t finished.

In June of the following year, the state petitioned the U.S. Supreme Court to review *Dobbs*.

Three months after that, on Sept. 18, 2020, Justice Ruth Bader Ginsburg died from complications of metastatic pancreas cancer at age 87.

“Then I knew we were up s\*\*\* creek,” Derzis said.

Eight days after Ginsburg’s death, then-President Donald Trump named his pick to replace Ginsburg: Amy Coney Barrett. She was confirmed to a lifetime appointment on Oct. 26, 2020.

The Supreme Court announced the following year it was going to hear Mississippi’s appeal of *Dobbs*. Oral arguments took place on Dec. 1, 2021.

Out in Pecos, New Mexico, Derzis listened live. She felt she could hear contempt in some of the justices’ voices. Questions she heard from justices made her think abortion rights were in big trouble – questions about fetuses and babies, instead of women.

Derzis was livid after she stopped listening. People had thought she was an alarmist, that her belief that the *Dobbs* Supreme Court case would result in *Roe* getting overturned was silly.

Fueled by that fury, Derzis kept fighting to provide abortion care. She needed to find a new home for Mississippi's only abortion clinic.

Six months came and went. Derzis and Shannon Brewer – Jackson Women's Health Organization's administrator and her long-time right-hand woman – were walking through the airport in Atlanta. It was the evening of May 2, 2022. After attending a national abortion conference in Florida, the two were headed home.

The conference disappointed Derzis. It was lackluster and didn't address the immediate issue at hand: Dobbs and what might happen to reproductive rights.

As they made their way through the airport, she caught wind that a copy of the Supreme Court's draft decision for Dobbs had been leaked to Politico. If unchanged and finalized, the draft decision would indeed knock out the rights ensured by the 1973 Roe v. Wade ruling.

"We just left an abortion conference," Derzis said. "We knew it was happening, and no one else wants to talk about it."

Day-to-day operations at Jackson Women's Health Organization was business as usual after the leak of the Supreme Court's draft decision. The only change was an increase in interest in the clinic from journalists.

The Supreme Court's final ruling came on June 24, 2022, two years ago this week. Roe was overturned.

Derzis had expected this to happen eventually. The hoops women had to jump through to get an abortion, and less-than-helpful experiences she had with law enforcement in dealing with out-of-hand protesters – those experiences convinced her.

But she hadn't thought the Dobbs case would be the nail in Roe's coffin. When the Center for Reproductive Rights filed its complaint against the Gestational Age Act in 2018, Derzis didn't even think that the case would even make it to the Supreme Court.

"Or maybe I didn't want to think this was the case," she said.

• • • •

The Supreme Court's final ruling threw Jackson Women's Health Organization into chaos the day it came out.

Patients packed the clinic. Staff tried to squeeze in as many people as possible.

Private security guards were there, an extreme rarity for the clinic. They were hired for the day because Jackson Women's Health Organization thought there was a high probability that protesters would try to come into the clinic or take it over.

Hatred hung in the air there that day like a dense fog. You could've cut it with a knife. Some of it came from anti-abortion protesters. Jubilant, they basked in the win the Supreme Court just gave them that morning. They wanted Derzis' clinic closed immediately. Abortion rights supporters expressed their anger at clinic's protestors.

"If one person had crossed the line – I mean, even a little bit – it would have been 'Johnny bar the door,'" Derzis explained.

She wore sunglasses to shield her a bit from the anti-abortion protesters. Plus, Derzis didn't want to hold her hand up over her eyes to block the sun when she was dealing with journalists. Despite all the public speaking she had done over the years, addressing crowds still made her nervous.

She started the day in Birmingham. When the Supreme Court announced the Dobbs ruling, Derzis sprang into action. She hopped in her car and drove four hours to Jackson to hold a news conference at her clinic.

As she drove, she was on the phone. She talked with someone in Jackson about finalizing details for the news conference. She talked with Brewer. She talked with journalists. These conversations helped Derzis avoid dwelling on Roe being wiped out.

Now, here she was, standing in front of a collection of microphones, talking to reporters outside The Pink House. Her Pink House. It was mid-afternoon.

She and others who provided abortion care weren't going to give up, weren't going to stop, she told them. Derzis seemed calm and cool on the surface, but anger lurked underneath. Her tone and cadence gave it away.

Jackson Women's Health Organization wasn't going to close right away, she said during her remarks. She told the crowd there was paperwork that the state attorney general in Mississippi had to

certify first for a 2007 state law that would ban all abortions in Mississippi without Roe.

After that, the clinic would have 10 days to remain open.

“Now, I would bet money that that certification was awaiting her office today when she got there,” Derzis said. “So that means we will be open for the next 10 days, and we’ll be seeing patients for the next 10 days, even if they have to do what they’ve done so often, and that’s come through this kind of terrorism.”

She was referencing the anti-abortion protesters there that day. During the news conference, Derzis didn’t see a police car in sight.

Afterward, she hugged patient escorts at the clinic.



📷 The building that once housed the Jackson Women’s Health Organization, known locally as the Pink House, seen in Jackson, Mississippi in 2023. Following *Dobbs. v. Jackson Women’s Health Organization*, the 2022 Supreme Court case striking down federal abortion protections, the building was sold to contractors who painted its exterior white and turned it into a consignment store. (Shalina Chatlani/States Newsroom)

Three days later, Lynn Fitch, the first woman to ever hold the post of Mississippi attorney general, certified the 2007 abortion ban. The only exceptions carved out in the law were for saving the life of the person who is pregnant, and if the pregnancy is a result of rape or incest. In the latter cases, the assault has to be reported to law enforcement.

Jackson Women’s Health Organization challenged that law in court. It was just a formality. The challenge didn’t really stand a chance.

On July 6, 2022, Jackson Women’s Health Organization closed.

*Next: The resurrection of the Jackson clinic – in New Mexico.*

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ABORTION POLICY

# From Roe to Dobbs and Beyond: A resurrection in New Mexico

The 2022 Supreme Court ruling forced her clinic to close in Mississippi. So Diane Derzis took it to another state.

BY: **DEVON HEINEN** - JUNE 27, 2024 7:01 AM



Shannon Brewer, executive director of the Las Cruces Women’s Health Organization, poses with a painting of the “Pink House,” the former location of the clinic in Jackson, Mississippi, on May 10, 2024. Brewer managed the Jackson clinic before its lawsuit against the state resulted in the Supreme Court decision that overturned Roe v. Wade. Brewer calls the painting one of her favorite pieces of art. (Corrie Boudreaux for Alabama Reflector)

Diane Derzis bought a clinic in Jackson, Mississippi, in 2010. It was the state’s only abortion provider.

She’d been doing this work for decades. First in

## From Roe to Dobbs and Beyond

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Birmingham, then around the country. She'd navigated many crises in her career – protesters, threats, even the awful aftermath of a clinic bombing.

But now, in late June 2022, the U.S. Supreme Court upended federal abortion rights with a ruling on a case bearing her Mississippi clinic's name: *Dobbs v. Jackson Women's Health Organization*.

After the ruling came down, Derzis drove from her home in Birmingham to her clinic in Jackson. Within hours of the decision, she was speaking at a news conference there.

Mississippi, like many other states in the South, was moving swiftly to outlaw abortion.

"It was absolutely depressing because we knew that the most vulnerable of women were being left behind," she said. "And I think that's why Jackson was so important to us, is that these were the most vulnerable women."

Besides Mississippi, 12 other states had trigger laws that would outlaw abortion once the Supreme Court struck down *Roe v. Wade*, according to the research and policy organization the [Guttmacher](#)

Monday was the 2nd anniversary of the U.S. Supreme Court's ruling in *Dobbs v. Jackson Women's Health Organization*, which ended federal abortion rights protections in the United States. This is the final part of a four-part profile of Diane Derzis, the owner of the clinic at the center of the decision, and her lifetime in abortion care.

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**Part 4:** How Derzis navigated the post-Dobbs landscape, and found a new home for the Jackson clinic.

**Institute:** Arkansas, Idaho, Kentucky, Louisiana, Missouri, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Utah and Wyoming.

Alabama’s near-total abortion ban, passed in 2019 but blocked by a federal judge before the Dobbs decision, went into effect shortly after Roe fell. Other states would go on to pass abortion restrictions of some kind or another.

Derzis was troubled by the job losses that were going to happen after the Jackson clinic closed.

But she also felt motivated. She wanted to fight even harder for abortion care in the United States. And she was excited about a project she’d been working on.

Around the time the Supreme Court heard oral arguments in Dobbs, Derzis and Shannon Brewer, Jackson Women’s Health Organization’s administrator, had started hunting for a new home for the clinic.

New Mexico was the only state Derzis considered. For one, abortion access was safe there.

“The thought of being in a state that actually valued what you did was a new concept,” Derzis said with a chuckle.

But there were other reasons, too. Derzis felt New Mexico was tranquil. She owned residential property there. Ever since she was younger, she had wanted to have a clinic in the state – Santa Fe, specifically.

New Mexico was also relatively close to Texas and the South, where abortion access would quickly disappear after Dobbs. That proximity was important to Derzis. Her focus for the relocated clinic would be out-of-state patients.



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The hunt was on. Santa Fe got eliminated. It wasn’t close enough to El Paso, Texas. Derzis also visited Hobbs, near the state’s border with Texas. It had a cute downtown. The buildings were “quite

affordable,” she remembered. But there were Trump signs everywhere. So many that Derzis joked that the former president had them manufactured there. She said it wouldn’t be safe to operate a clinic there.

There was also Las Cruces. The second-largest city in New Mexico emerged as the winner.

Derzis and her business partners bought a two-story, 5,500 square-foot building the following month. A former dentist’s office, it was much bigger than what they needed. Unused for years, it still had dental equipment inside.

But it was available. The location was perfect. And it checked every other box. Good neighborhood. Pharmacy right beside it. Medical buildings nearby. Easily accessible by car via the interstate.

Las Cruces already had one abortion clinic. And Planned Parenthood was in the process of opening a clinic there, too. None of this fazed Derzis. New Mexicans weren’t necessarily the patients she was trying to reach.

As for whether it made financial sense to have an abortion clinic in a city or town that already had at least one, Derzis said that used to be something she had to think about. But when Dobbs took effect, abortion effectively ended in Texas, which had two dozen clinics operating in the state at that time, according to the [Texas Tribune](#).

“Those patients had to go somewhere,” Derzis said. “So we knew they would be going to the closest state, which was New Mexico or, perhaps, Illinois.”

Brewer got Las Cruces Women’s Health Organization up and running while managing the clinic in Jackson. She split time living in Las Cruces and Jackson during this time. Hopscotching between the two took at least around 16 hours – or nearly 1,100-miles – each way if going by car.

Brewer had never started a clinic up from scratch before. But she had help. Her sister had come out to assist. And locals in Las Cruces asked what she needed. Folks would show up wanting to volunteer with setup.

After the leak of the Supreme Court’s decision, Brewer and her sister would wake up around 6 a.m. They would work on getting the clinic in Las Cruces set up until 8 or 9 p.m. Over and over, day in, day out. They’d hang pictures. Clean. Order things. Set up rooms.



📍 Shannon Brewer, executive director of the Las Cruces Women's Health Organization in Las Cruces, N.M., stands in the clinic's recovery room on May 10, 2024. The clinic, decorated with original art, opened after the end of Roe v. Wade to serve women from states where abortion has been outlawed. (Corrie Boudreaux for Alabama Reflector)

The hardest part was trying to figure out how to let patients know about the Las Cruces clinic. To address that, Brewer strategically picked journalists she'd do interviews with. She had particular audiences in mind, especially Texas.

"If they're wanting to interview us, then this is taking up a lot of my time that I'm taking away from Jackson and Las Cruces," Brewer said. "So it has to be beneficial for me, for the patients, for everybody if I'm going to do that."

Hiring for Las Cruces Women's Health Organization began shortly after the Dobbs ruling. Employees at the Jackson clinic were offered the opportunity to go to Las Cruces. Derzis and Brewer offered to cover relocation expenses and a place to stay. But only Brewer and her sister made the move. Most of the women at the clinic in Mississippi, Derzis said, had their roots and families there.

"This is small-town South, you know?" Derzis said. "That's where your home is."

In a nearby parking lot in the scorching heat on a Tuesday in July that year, anti-abortion activists held a rally across the street from the yet-to-be-opened clinic in Las Cruces. For about an hour and a half person after person came to the microphone to speak – 11 in all. The event was livestreamed.

Some in the crowd sat. Others stood. There were signs. “BABY LIVES MATTER” read one in big, capital letters. “My favorite Right is LIFE” read another. At least two people held large wooden crosses.

“Twenty-nine eighteen Hillrise will be free of abortions one day soon because, with God, all things are possible,” said David Bereit, the founder of a religious anti-abortion organization called 40 Days For Life, after briefly turning away from the crowd and looking in the direction of the clinic behind him.

Brewer wasn’t in town. But she was kept in the loop. Her sister and a friend texted her pictures and videos.

Toward the end of the rally, Mark Cavaliere stepped to the lectern. He was with the Southwest Coalition for Life, another religious anti-abortion group.

“It seems like every few days, we hear about a new abortion corporation coming into New Mexico,” Cavaliere said. “We’re going from five abortion businesses in the state of New Mexico to tripling that number, possibly quadrupling that number. And it’s, it’s just been overwhelming.”

His prediction wouldn’t come to pass. According to the University of California San Francisco’s Advancing New Standards in Reproductive Health (ANSIRH), which has a database of abortion clinics, there were [six abortion facilities](#) in New Mexico in 2021. The website [abortionfinder.org](#) [listed 11 facilities](#) providing in-person services in the state as of Wednesday.

Still, he announced that day that Southwest Coalition for Life had leased a nearby building. There, it would spin up a pregnancy center to counter Las Cruces Women’s Health Organization. Also known as a crisis pregnancy center, it would be a facility that tries to dissuade those who are pregnant from having an abortion.

“So, before they’ve even opened,” Cavaliere said, referring to Derzis’ abortion clinic, “we’re setting the stage.”

Two and a half weeks after the rally, Las Cruces Women’s Health Organization opened on Aug. 5, 2022. Guiding Star Southwest, a crisis pregnancy center, operates nearby.

Derzis visited the clinic about a month later. It was beautiful. It had warmth. It gave a sense that patients were going to be taken care of.

Walls inside were painted fuchsia, yellows, oranges, blues, greens. Derzis cried that day.

“It was just like one big ol’ beautiful testament to women, you know?” Derzis said. “That women have the ability, and only women have that ability, to make this decision.”

• • • •



📷 Diane Derzis poses in her home in Birmingham, Alabama on May 10, 2024. (Stew Milne for Alabama Reflector)

After the Supreme Court overturned Roe, women have had to navigate hurdles in order to attempt to get an abortion. That includes abortions because of medical emergencies for the mother or baby.

“It brings out such rage in me,” Derzis said. “The only way I can fix that is to build clinics.”

Derzis opened two more abortion clinics, one in Bristol, Virginia, and one in Chicago, both with Brewer’s help.

It was time to take a break after Chicago. Derzis was 69-years-old. But she wasn’t eyeing retirement.

She wanted to reassess opening more abortion clinics. At that point, her portfolio consisted of five. In addition to her three newest clinics – Las Cruces, Bristol and Chicago – there were her two older ones that were still up and running from before Roe’s demise: One

in Richmond, Virginia, and one in Columbus, Georgia. She said she still hopes to open a clinic in Maryland.

Derzis expanded her small core team of staff to handle the brunt of day-to-day operations across the clinics. That has helped her recharge.

Nowadays, Derzis is less active with her clinics. But she's a sounding board when it comes to important decisions.

"It's definitely been a step back," she said. "I'm not planning on dying anytime soon, but, you know, they're a great deal younger than I am, and they're the future."

Derzis just turned 70 and is just south of 50 years of working in abortion care. How much longer was she going to stay in the abortion-access movement?

"Until I'm dead. Seriously," the Abortion Queen said without hesitation. Or until she's unable, she added moments later.

Why?

"Because there's no way I would give up now when it's at a crisis point."

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