

Wisconsin Alliance for Women's Health: Statement on today's "Cocaine Mom Law" court decision

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Madison, WI — Wisconsin Alliance for Women's Health (WAWH) Executive Director, Sara Finger, released the following statement regarding today's ruling by U.S. District Court Judge James Peterson that found 1997 Wisconsin Act 292, sometimes referred to as the "Cocaine Mom Law," unconstitutional:

"WAWH is excited and relieved by today's decision to strike down this punitive law that permits the state to deprive pregnant women of basic rights and take action that is known to undermine maternal, fetal, and child health.

We are especially proud of the brave plaintiff in this case, Tammy Loertscher, who was willing to relive the trauma she endured as a result of this law in order to challenge its constitutionality. As a result of admitting to drug use **before she was pregnant**, Ms. Loertscher was denied her most basic constitutional rights and was incarcerated in a local jail for 18 days, which included time in solitary confinement. While in the jail she did not even have access to prenatal care or medication she needed to treat a thyroid condition.

This punitive approach to potential maternal drug use is almost uniformly opposed by the established medical community. The American College of Obstetricians and Gynecologists, American Society of Addiction Medicine, and American Public Health Association all filed an amicus brief opposing the law. A link to the WI ACOG

statement can be found [here](#).

WAWH hopes that Judge Peterson's ruling is upheld so that no other Wisconsin women must endure what Ms. Loertscher, along with hundreds of other women in the state since the law's enactment, have experienced under this ill-conceived law. WAWH would also like to thank attorneys from National Advocates for Pregnant Women and the law firm Perkins Coie for their invaluable work on this case."

Please link to the HuffPost piece authored by Sara with WAWH for additional details on this case:

http://www.huffingtonpost.com/entry/wisconsins-dirty-secret-about-the-treatment-of-pregnant-us_58efdd88e4b0156697224d94