

Dept. of Justice: AG Kaul joins coalition pushing back against Mississippi's effort to overturn aspects of *Roe v. Wade*

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MADISON, Wis. – Attorney General Josh Kaul today joined a coalition of 24 state attorneys general in urging the U.S. Supreme Court to uphold its precedents protecting a woman's right to decide before viability whether to carry a pregnancy to term. In an amicus [brief](#) filed with the Court, the coalition argues that Mississippi's pre-viability abortion ban is unconstitutional and should remain unconstitutional. In 1973, the Supreme Court ruled in *Roe v. Wade* that the Constitution does not permit states to prohibit a woman from deciding before viability whether to carry her pregnancy to term. That ruling was affirmed in *Planned Parenthood v. Casey* in 1992 and reaffirmed in the following decades. In today's brief, the coalition argues that Mississippi's ban is unconstitutional under settled law, and that the Court should continue to uphold this well-established precedent.

"Mississippi is asking the U.S. Supreme Court to overturn *Roe v. Wade*, which has protected women's health, privacy, and freedom for nearly half a century," said Attorney General Josh Kaul. "It's crucial that the Supreme Court continues to protect the reproductive rights of women across the country."

In March 2018, the governor of Mississippi signed into law what was then the strictest abortion ban in the country. The law prohibits abortion at 15 weeks, with few exceptions, even in cases of rape or incest. A federal district court judge struck down the law stating that Mississippi "chose to pass a law it knew was unconstitutional...to ask the Supreme Court to overturn *Roe v. Wade*." The U.S.

Court of Appeals for the Fifth Circuit affirmed the district court's ruling.

Mississippi's attempt to undo decades of Supreme Court precedent comes amidst years of attempts by other States to strip Americans of their right to decide what is best for their bodies and futures. This year alone, 10 states have enacted bans on pre-viability abortions. In total, 16 states have now enacted pre-viability abortion bans.

In filing the brief, Attorney General Kaul joined the attorneys general of California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, the District of Columbia.