

# ACLU Wisconsin: Applauds challenge to 1849 Wisconsin abortion ban

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MILWAUKEE — The ACLU of Wisconsin today applauded Attorney General Joshua Kaul's decision to file a lawsuit challenging the enforceability of Wisconsin's 1849 abortion ban.

The following statement can be attributed to Dr. Melinda Brennan, executive director of the ACLU of Wisconsin:

“Last Friday, millions of Wisconsinites and others across the country watched as our nation's highest court stripped their fundamental right to abortion away from them. We are grateful that Attorney General Kaul has decided to move quickly and decisively to file this lawsuit.

Wisconsin's abortion ban was enacted in 1849, 173 years ago. Let me repeat that: this ban was passed 173 years ago, a time when women were deprived of their right to vote and slavery was still legal in the United States. I think we're all right to question the validity of such an outdated and archaic law in 2022, and we hope this litigation will result in a declaration that it is unenforceable.

Let me be clear: the Supreme Court believes that the State of Wisconsin has more of a right to make decisions about our healthcare than we do. These profoundly personal choices should be ours to make and ours alone. The court's ruling was one of the most shameful in our nation's history. We can't back down now – and we

won't.

We won't stand idly by as millions of Wisconsinites, particularly those most disproportionately impacted, including communities of color and people with limited incomes, are denied access to necessary health care. We must fight back. We plan to use all the tools at our disposal to fight for reproductive justice for every Wisconsinite. We are exploring every available option that will allow us to do that effectively.

We now know that many of our other civil rights and liberties are also in jeopardy – from voting rights to LGBTQ rights, access to contraception, racial and economic justice, and more.

This is an all-hands-on-deck moment for all of us – for the ACLU and our partners, for elected officials at every level of government, and for all of us who stand unequivocally for liberty, justice, and our right to self-determination. We aren't going anywhere.”