

Wisconsin Right to Life: Condemns AG Kaul lawsuit against Wisconsin's 1849 Abortion Ban

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This afternoon, with representatives from Planned Parenthood in attendance, Governor Tony Evers and Attorney General Josh Kaul announced a [lawsuit](#) to challenge the enforceability of Wisconsin's 1849 abortion ban, state statute [940.04](#).

The challenge calls for clarification, and argues that the pro-life laws passed since 1849 supersede the 1849 ban and therefore make it unenforceable. The suit argues that because the only exception in the 1849 law is for the life of the mother, it is in direct contradiction to more recent laws like the Pain-Capable Unborn Child Protection Act, which established a ban on Wisconsin abortions past the 20th week of pregnancy in 2015.

Heather Weininger, executive director of Wisconsin Right to Life, stated, "We are disappointed, but not surprised to see that our top elected officials refuse to do their jobs and enforce the laws on our books. Rest assured, we'll continue to work with the state Senate and Assembly to fight this lawsuit, and no matter what, we'll continue our daily work of protecting mothers and babies throughout Wisconsin."

Gracie Skogman, Wisconsin Right to Life's legislative/PAC director, added, "We hope that the court upholds our current statute. But this challenge only intensifies the need to elect new leaders in our state who won't actively fight against protecting our preborn citizens and their mothers. We are ready to elect a new, pro-life governor and attorney general this fall."