

Gov. Evers, Democrats: Call for advisory referendum on Wisconsin's criminal abortion ban on April 2023 ballot

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MADISON — Gov. Tony Evers and Democrats today announced a new effort to put an advisory referendum on the April 2023 ballot, asking voters if Wisconsin should repeal the state's 1849 criminal abortion ban and restore the constitutional rights guaranteed for nearly 50 years under *Roe v. Wade*. The announcement comes just days before the 50th anniversary of the 1973 *Roe v. Wade* decision and more than six months after the U.S. Supreme Court's ruling in *Dobbs v. Jackson Women's Health Organization* that overturned *Roe v. Wade* and *Planned Parenthood of Southeastern Pa. v. Casey*, effectively stripping millions of Wisconsinites and Americans of the reproductive rights and freedoms they had relied upon for nearly five decades.

“On the eve of the 50th anniversary of *Roe v. Wade*, we are here again today to reaffirm that we will never stop fighting for Wisconsin women and reproductive freedom, and that includes working to ensure the people of Wisconsin have the opportunity to weigh in as to whether Wisconsin should overturn our 1800s-era criminal abortion ban and restore protections under *Roe*,” said Gov. Evers.

“But I also want to be clear today just as I have been all along: I know where Wisconsinites stand, as does every single person who serves in the State Capitol. This is an opportunity to make clear that there continues to be not one single shred of doubt about where the people of Wisconsin are on this issue: Wisconsinites support *Roe*, we support reproductive

freedom for our loved ones, our family members and kids, our friends, and our neighbors, and we are going to fight like hell every single day until Republicans heed to the will of the people.”

According to the Marquette Law School Poll, nearly 60 percent of Wisconsin voters support safe, legal access to abortion, and more than 60 percent oppose the decision to overturn *Roe v. Wade*, yet Wisconsin Republicans have repeatedly refused to protect reproductive rights and repeal the state’s criminal abortion ban, which prohibits nearly all abortions without exceptions for rape and incest. The proposed ballot initiative would give Wisconsin voters the opportunity to voice their opinions and vote directly on the issue during the 2023 Spring Election on April 4, 2023.

Today’s effort is the latest in a series of actions taken by Gov. Evers and Democrats to restore reproductive freedom in Wisconsin. In June, just days after the U.S. Supreme Court released a decision in *Dobbs*, Gov. Evers and Wisconsin Attorney General Josh Kaul [filed a lawsuit](#) challenging Wisconsin’s criminal abortion ban.

A year ago now, Gov. Evers joined legislative Democrats and Attorney General Kaul in [calling on the Legislature](#) to repeal Wisconsin’s archaic criminal abortion ban. After Republican legislators concluded their regular session work without taking action on the proposal, Gov. Evers called the Legislature into a [special session](#) to press legislative action to protect reproductive freedom. Only days after Republican legislators [gaveled in and out](#) of the special session in moments without any discussion or debate, and despite broad public concern about the topic, the U.S. Supreme Court released their decision in *Dobbs*, throwing reproductive healthcare access in Wisconsin into near-immediate chaos.

Then, last fall, after U.S. Sen. Ron Johnson (R-Wisconsin) erroneously [suggested](#) Wisconsin voters could challenge the state’s 1800s-era criminal abortion ban directly through a binding statewide referendum—something that is allowable in more than 20 other states but not permissible in Wisconsin—Gov. Evers again [called the Legislature into a special session](#) to create a pathway for Wisconsinites to directly challenge the state’s criminal abortion ban and repeal the archaic law. Republicans in the Legislature gaveled out of the special session without consideration or debate.

Over the course of the past four years, the governor has vetoed several bills passed by the Legislature, including [several in the most recent biennium](#), that would have

restricted access to abortion, inserted politics into the personal and private conversations between patients and their healthcare providers and made it harder for doctors to provide medically accurate information and treatment. Many of these bills also sought to limit healthcare options for people seeking basic, necessary care, such as pregnancy care, cancer screening and prevention, sexually transmitted disease screening and treatment, and wellness exams.

A copy of the proposal is available [here](#). An online version of this release is available [here](#).