

# Wisconsin Family Action: Statement of Judge Diane Schippler's ruling on Wisconsin's pre-Roe abortion law

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**MADISON** - Yesterday, Dane County District Court Judge Diane Schlipper ruled on the case brought by Wisconsin Attorney Josh Kaul (D) alleging that Wisconsin's pre-Roe abortion statute, 940.04, is not enforceable. As the judge intimated earlier this year in an initial hearing, she ultimately found that the entirety of the statute applies to feticide, not to consensual abortion. The net effect of her ruling is that abortion, the intentional, consensual killing of an unborn child, is again legal in Wisconsin.

The following statement is attributable to Julaine Appling, Wisconsin Family Action president.

"While this decision is not surprising, it is very disappointing; and we believe it is a wrong interpretation of the pertinent statute. We agree with defendant Sheboygan County District Attorney Joel Urmanski's statement that the statute plainly applies to consensual abortion, made very clear by the exception in the statute for the life of the mother. No such exception would be necessary if the statute applied exclusively to feticide, the intentional killing of an unborn child without the woman's consent. Additionally, the statute is titled "Abortion." Had the legislature intended the law to apply to feticide, it would have had a different title.

"From June 24, 2022, through earlier this fall when Planned Parenthood of Wisconsin took matters into their own hands and resumed abortions in Madison and Milwaukee, Wisconsin's unborn had a much better chance of experiencing life outside the womb than it had when abortion was legal. Now we regress—and the regression comes at a very high price—the death of many of Wisconsin's future

citizens and the toll abortion takes on a woman's mental and emotional well-being.

"We are pleased to know DA Urmanski intends to appeal this egregious decision."