



**WISCONSIN FAMILY ACTION**  
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**FOR IMMEDIATE RELEASE**

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## **US Supreme Court Advances Abortion, Devalues Women**

**MADISON, WI** – Today, the U.S. Supreme Court handed down a [decision](#) that devalues women’s health and the lives of their unborn babies, disregards states’ rights, highlights bad judicial precedence and advances abortion.

In a 5-4 decision, the high court determined that Louisiana’s law that would require abortionists to have admitting privileges at a hospital within 30 miles of where an abortion is being performed puts an “undue burden” on women seeking an abortion and is therefore unconstitutional.

Chief Justice John Roberts cast the deciding vote, joining the pro-abortion justices Kagan, Sotomayor, Ginsberg and Breyer, who wrote the majority opinion. Roberts wrote his own concurring opinion. Justices Thomas, Alito, Kavanaugh, and Gorsuch all dissented, at least in part.

Roberts largely based his decision on the *stare decisis*, which is the idea that previous court decisions dictate, in large part, the way the high court will determine current and future decisions. He opined that the *Whole Women’s Health v. Hellerstadt* decision arising in Texas and decided in June 2016 dictated how the current case had to be decided. In *Whole Women’s* the Supreme Court ruled 5-3 that abortion restrictions Texas had enacted restricted access to abortion and put an “undue burden” on women seeking an abortion. Requiring admitting privileges was one of the restrictions in the Texas law.

Wisconsin Family Action president Julaine Appling commented, “I find Roberts’ legal analysis and decision incredibly weak and quite frankly dangerous. As Roberts noted in his own concurrence, *stare decisis* is not ‘an inexorable command,’ Yet he inexorably and wrongly followed it in this decision.

“If the court somehow sees itself as duty-bound to this legal idea, then bad decisions will be and have been, in general, indefinitely perpetuated. *Whole Women’s Health* was a bad decision. Using it as the reason for another bad decision from the high court in this current case is not just lame but is downright dangerous to the health and safety of women.

“Louisiana passed this law with the well-being of women in mind. They had every right to do so, just as we did in Wisconsin when we passed enacted the same law in 2013. Planned Parenthood immediately challenged our law. As a result, it has never been enforced here; and now we know it likely never will be. The Supreme Court had a perfect opportunity to right a wrong. The Chief Justice chose to sabotage that effort. Americans deserve better from their high court.”

Wisconsin Family Council, the educational arm of Wisconsin Family Action, was part of a friend-of-the-court [amicus](#) in support of the State of Louisiana in this case (*June Medical Services L.L.C. v. Gee*).

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Wisconsin Family Action is a statewide organization engaged in strengthening, preserving and promoting marriage, family, life and religious freedom in Wisconsin.