

December 28, 2021

ATTORNEY GENERAL RAOUL FILES BRIEF OPPOSING ARIZONA'S UNCONSTITUTIONAL "REASON BAN" ON ABORTION

Chicago — Attorney General Kwame Raoul today continued to oppose coordinated and unconstitutional attempts to roll back reproductive rights in the United States by joining a coalition of 23 state attorneys general in filing an amicus brief supporting a challenge to an Arizona law that prohibits abortions sought based on a fetal abnormality. Raoul and the coalition argue that states can safeguard the civil rights of people with disabilities and provide accurate information about fetal abnormalities while also preserving women's reproductive autonomy. The attorneys general are urging the U.S. Court of Appeals for the 9th Circuit to uphold a district court order that enjoined the Arizona law, also called a "reason ban," before it took effect.

"Women have the right to make their own reproductive health care decisions, and they deserve access to accurate, unbiased information about fetal abnormalities that can help them make informed reproductive decisions." Raoul said. "Ensuring reproductive autonomy and protecting civil rights of people with disabilities are not mutually exclusive, and states can protect the rights and well-being of people with disabilities without infringing on a woman's right to choose."

In April, Arizona passed Senate Bill 1457 (SB 1457), which bans abortions sought because of a fetal genetic abnormality and makes it a felony for a provider to perform such an abortion. SB 1457 was scheduled to take effect Sept. 29, 2021 but was temporarily blocked – a decision that was appealed by the state of Arizona. In the order blocking the reason ban, the district judge wrote that under the law, a person who chooses to terminate a pre-viability pregnancy because of a fetal genetic abnormality would either have to "conceal this information from or lie to her doctor, neither of which fosters trust or encourages open dialogue."

Similarly, [in the brief](#), Raoul and the coalition argue that the reason ban runs counter to standards of care established by medical professionals and ignores the myriad ways that states may promote interest in fetal life and protect children born with genetic abnormalities.

The attorneys general argue that states have the tools to dispel outdated and harmful views about disabilities while protecting reproductive rights. In the brief, the coalition states that providing medically-accurate, unbiased information about fetal abnormalities can help pregnant individuals make informed reproductive choices. Further, providing people living with disabilities with civil rights protections as well as social and medical services can combat discrimination, reduce bias, and protect individuals with disabilities. The coalition argues that both can be done without infringing on reproductive autonomy.

Raoul's brief comes as the country awaits the U.S. Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization*, a case involving the constitutionality of Mississippi's pre-viability abortion ban. In September, Raoul and a coalition of state attorneys general [opposed the law](#) and Mississippi's attempt to roll back half a century of precedent – established in *Roe v. Wade* and other cases – that protect the right to decide, before viability, whether to carry a pregnancy to term.

Joining Attorney General Raoul in filing the amicus brief are the attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington and Wisconsin.