

ACLU, Planned Parenthood Sue Arkansas Over Abortion Ban

Groups Sue Over Arkansas Law That, in a Direct Challenge to *Roe v. Wade*, Outlaws Abortion

EMBARGOED UNTIL MAY 26

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LITTLE ROCK, Ark. — The ACLU, ACLU of Arkansas, and Planned Parenthood Federation of America filed a lawsuit today challenging Arkansas' ban on abortion. This case comes at a pivotal time for reproductive rights given that the Supreme Court recently announced that it will hear a challenge to a Mississippi law that bans abortion after 15 weeks in pregnancy.

The Arkansas ban, signed into law by Gov. Asa Hutchinson in March and currently scheduled to take effect on July 28, 2021, prohibits abortion in nearly every case and imposes stiff criminal penalties on doctors for providing care. It is the latest and most direct attack on abortion by anti-abortion politicians in Arkansas, who have been trying to eliminate abortion care in the state for years. Over the past decade, the state has passed laws to: ban abortion [at various points in pregnancy](#), ban the standard method of [care after about 14 weeks](#) of pregnancy, ban abortion [based on a patient's reasons](#), [restrict](#) qualified health providers from providing abortion care, and impose extremely burdensome and medically unnecessary requirements on abortion clinics in an effort to force them to close. This legislative session was no different: The ban at issue in this lawsuit is one of 20 restrictions on abortion that Arkansas passed in 2021, positioning the state to tie Louisiana's record (set in 1978) for the most abortion restrictions passed in a single year.

Arkansas' efforts to restrict and ban abortion access deeply affect people of color, immigrants, people who live in rural areas, and people with low incomes. These laws hurt the people and families who are already among the most vulnerable Arkansas communities.

The ban challenged today and the other restrictions Arkansas passed this session are part and parcel of a longstanding, concerted nationwide effort to ban abortion entirely or push care out of reach. More than a dozen states have passed bills that ban abortion at various stages of pregnancy in the last two years — though those laws were all blocked in court and none are in effect. So far in this year alone, anti-abortion politicians across the country have [introduced over 530 restrictions on abortion](#).

“This law clearly violates the Constitution and nearly five decades of binding Supreme Court precedent that protects the right to access abortion. Arkansas' anti-abortion politicians know that *Roe v. Wade* is still the law of the land, but they passed this abortion ban anyway, which triggers a direct challenge to *Roe*,” said **Meagan Burrows, staff attorney at the ACLU Reproductive Freedom Project**. “We are not going to stand by while Arkansas attempts to

deny people their constitutional right to abortion care. Abortion remains legal in all 50 states, and we'll see the state of Arkansas in court to make sure it stays that way."

"This law is plainly unconstitutional, but that hasn't stopped Arkansas politicians from continuing their relentless campaign against abortion access," said **Holly Dickson, ACLU of Arkansas executive director**. "By outlawing abortion and criminalizing doctors, this law would completely block Arkansans from care and put politicians in charge of our most deeply personal decisions. As long as Arkansas politicians keep trampling on people's fundamental rights, we'll continue to challenge these laws in court, in the Capitol, and in communities across the state."

"During what's been the worst state legislative session for proposed abortion restrictions since *Roe* was decided, Planned Parenthood stands ready to fight back against unconstitutional laws that are designed to strip people's access to essential health care," said **Alexis McGill Johnson, president and CEO, Planned Parenthood Federation of America**. "We will never stop working to protect our patients' access to care — including abortion — in Arkansas and across the country. Our patients deserve better from their lawmakers, who are wasting time passing harmful, cruel laws. Arkansas, we'll see you in court."

"Health outcomes in Arkansas are among the worst in the nation. Yet under the 'leadership' of anti-abortion politicians, Arkansas continues to focus on banning abortion, rather than addressing the state's high rates of teen pregnancies, infant and maternal mortality, and sexually transmitted infections and diseases. While ignoring these public health crises, they're creating more barriers to essential health care," said **Brandon Hill, PhD, president and CEO of Planned Parenthood Great Plains**, a plaintiff in the case and one of only two abortion clinics providing care in the state. "This law is about grabbing headlines. As Arkansas' politicians scramble to climb the political ladder, they create an even greater disconnect between themselves and the people they serve."

"Year after year, the Arkansas legislature has passed abortion restrictions and bans aimed at making it more difficult for us to provide, and for our patients to access, abortion. This ban is just the latest and clearest example of what the state has been trying to do for years: stop our patients from accessing vital reproductive health care," said **Lori Williams, clinical director at Little Rock Family Planning Services**, a plaintiff in the case and one of only two abortion clinics providing care in the state. "Abortion is health care—we know, because we provide it every day. Little Rock Family Planning is proud to be part of this lawsuit to fight on behalf of our physicians, our patients, and our community."

The lawsuit was brought by the ACLU, ACLU of Arkansas, Planned Parenthood Federation of America, the law firm of O'Melveny & Myers, and ACLU of Arkansas cooperating counsel Brooke-Augusta Ware and Breean Walas on behalf of Little Rock Family Planning Services, Planned Parenthood Great Plains, and Dr. Janet Cathey.

A blog on the case filing is here: [\[LINK\]](#)

The complaint can be found here: [\[LINK\]](#)

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