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NEWS RELEASE

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With *Roe* Overturned, 83 Elected Prosecutors Commit to Not Prosecute Abortions

DAs and AGs Publicly Pledge to Use Their Settled Discretion and Not Criminalize Personal Healthcare Decisions

In the wake of the Supreme Court's decision today to overturn *Roe v. Wade*, 83 elected prosecutors from around the nation [committed](#) to use their well-established discretion and refuse to prosecute those who seek, assist in or provide abortions, calling the criminalization of abortion care "a mockery of justice." These elected prosecutors – collectively representing nearly 87 million people from 28 states and territories and the District of Columbia, including nearly 27 million from 11 states where abortion is now banned or likely to be banned – argue in a joint statement that using limited criminal justice resources to prosecute personal healthcare decisions runs counter to their obligation to pursue justice and promote public safety.

Kaua'i Prosecuting Attorney Rebecca Like was one of the elected prosecutors who signed onto the joint statement.

"In the State of Hawai'i, we are fortunate to have statutory protections, pursuant to Hawai'i Revised Statute Section 453-16, that protect a female's right to choose or obtain an abortion for a nonviable fetus or when it is necessary to protect the life or health of the mother," said Like. "In more than half of other States, residents' access to this medical procedure will be unavailable or very limited. Criminalizing abortion undermines public safety by damaging public trust in law enforcement and isolating vulnerable residents from medical and social services that they need. Criminalizing abortion also endangers public health by increasing the likelihood that women will obtain unsafe abortions and limiting family planning care to the most privileged. As

Prosecutor, I am happy to stand with this group of elected prosecutors throughout the nation in my promise not to criminalize personal healthcare decisions.”

Now that *Roe v. Wade* has been overturned, abortion has been or will soon be banned in [at least 26 states](#). Among the most draconian and dangerous statutes are [Texas’ trigger law](#) and an [Alabama law](#) under which those who perform an abortion could face life sentences in prison. A recent law in Oklahoma makes it a felony to provide abortions, punishable by up to 10 years in prison, with no exceptions for rape or incest. Bans in Missouri, Tennessee and Utah carry sentences of [up to 15 years](#) for providers of abortion care.

“Today’s Supreme Court decision is a jarring betrayal of generations of Americans who have come of age with the right to make decisions about their own bodies,” said **Miriam Krinsky, Executive Director of Fair and Just Prosecution**, the organizer of the statement. “By cruelly and callously stripping away a 50-year-old fundamental right, a majority of the Court has undermined the legitimacy of the criminal legal system and trust in the rule of law. With many states now seeking to criminalize those who seek, perform and receive abortion care, elected prosecutors are the last line of defense in protecting patients and providers from criminal charges. At this frightening and dark moment, we desperately need the bold leadership demonstrated by these signatories – and hope to see far more prosecutors across the country join this chorus.”

The signatories make clear that they approach the issue of abortion from varied personal perspectives but come *together* in agreement that enforcing abortion bans is a threat to many in their communities: “As elected prosecutors, when we stand in court we have the privilege and obligation to represent the people. All members of our communities are our clients – they elected us to represent them and we are bound to fight for them as we carry out our obligation to pursue justice. Our legislatures may decide to criminalize personal healthcare decisions, but we remain obligated to prosecute only those cases that serve the interests of justice and the people.”

The statement also emphasizes how abortion bans disproportionately harm victims of sexual abuse, rape, incest, human trafficking and domestic violence, and that many anti-abortion laws either do not provide exceptions for victims of sexual violence or force survivors to choose between reporting their assault or carrying an unwanted pregnancy to term.

The signatories include Attorneys General **Thomas J. Donovan, Jr.** (Vermont), **Keith Ellison** (Minnesota), **Maura Healey** (Massachusetts), **Edward E. Manibusan** (Northern Mariana Islands), **Dana Nessel** (Michigan), **Karl Racine** (District of Columbia) and **Phil Weiser** (Colorado), as well as elected prosecutors from states with trigger laws or laws banning abortion, such as **Wesley Bell** (St. Louis County, Mo.), **Danny Carr** (Jefferson County, Ala.), **John T. Chisholm** (Milwaukee County, Wis.), **Shameca Collins** (6th Judicial District, Miss.), **John Creuzot** (Dallas County, Texas), **Glenn Funk** (Nashville, Tenn.), **José Garza** (Travis County, Texas), **Joe Gonzales** (Bexar County, Texas), **Mark Gonzalez** (Nueces County, Texas), **David Leyton** (Genesee County, Mich.), **Karen McDonald** (Oakland County, Mich.), **Brian Middleton** (Fort Bend County, Texas), **Jody Owens** (Hinds County, Miss.), **Eli Savit** (Washtenaw

County, Mich.), **Daniella Shorter** (22nd Judicial District, Miss.), **Carol Siemon** (Ingham County, Mich.) and **Matthew J. Wiese** (Marquette County, Mich.).

The full statement and list of signatories are available [here](#).

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