



**NEWS** from the ACLU of Indiana

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## FOR IMMEDIATE RELEASE

Thurs., June 30, 2016

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# VICTORY! Federal Judge Blocks State's Anti-Abortion Measure

***“The United States Supreme Court has stated in categorical terms that a state may not prohibit any woman from making the ultimate decision to terminate her pregnancy before viability.”—Judge Tanya Walton Pratt***

***Law that recalled a time before the U.S. Supreme Court recognized a constitutional right to an abortion would have taken effect July 1***

Indianapolis – A federal judge today granted Planned Parenthood’s request for a preliminary injunction, blocking key features of an anti-abortion measure scheduled to go into effect July 1. The law would have imposed unprecedented, unconstitutional restrictions on women seeking abortions and their health care providers and was the strictest abortion law in the United States.

The American Civil Liberties Union of Indiana, national ACLU and national Planned Parenthood are representing Planned Parenthood of Indiana and Kentucky in this case.

ACLU of Indiana Legal Director Ken Falk said, “This law attempted to do exactly what Supreme Court precedent said could not be done: invade a woman’s privacy rights by preventing her from deciding whether to obtain a pre-viability abortion. We are extremely pleased that Indiana’s attempt to violate women’s basic rights has been thwarted.”

Federal Judge Tanya Walton Pratt enjoined the provisions of the statute that prohibited abortions solely because a woman sought an abortion for certain reasons. The judge also blocked the law’s requirement that women be informed of these unconstitutional restrictions, and stopped separate provisions that required fetal tissue to be disposed of in the same manner as human remains.

In her ruling, Judge Pratt said, “The lack of authority supporting the State’s position likely stems from the fact that it is contrary to the core legal rights on which a woman’s right to choose to terminate her pregnancy prior to viability are predicated.”

Indiana House Enrolled Act 1337 was signed into law by Governor Pence on March 24. In April the ACLU of Indiana on behalf of PPINK filed suit against the Indiana State Department of Health, prosecutors of several

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counties and the state medical licensing board asking the Court to block enforcement of the law, claiming it violated due process and equal protection under the Fourteenth Amendment as well as First Amendment rights of free speech.

“We are heartened that the courts, including the U.S. Supreme Court, are signaling that politicians can no longer hide behind sham rationales to prevent a woman from getting the care she needs. This legislation was never about discrimination. The ACLU stands firmly against discrimination in all forms,” said Jane Henegar, ACLU of Indiana executive director. “The ACLU challenged this legislation because it exerts undue political influence into one of the most personal decisions a woman can make, whether and when to continue a pregnancy based upon what is best for herself and her family, a decision protected by the U.S. Constitution.”

“This cruel law painted a grim picture for Indiana women with its blatant, unwelcome intrusion into private, independent decision making. HEA 1337 is a violation of the sacred doctor and patient relationship,” said Betty Cockrum, President and CEO of PPINK. “Today’s decision shows Gov. Mike Pence that he cannot force his religious ideology on Hoosiers. It is further compelling recognition by the courts that legislation interfering with women’s reproductive rights will not be tolerated.”

The decision, *Planned Parenthood of Indiana and Kentucky, et al., v. Commissioner, Indiana State Department of Health, Prosecutors of Marion, Lake, Monroe, and Tippecanoe Counties; Individual Members of the Medical Licensing Board of Indiana*, **Case No. 1:16-cv-00763-TWP-DML**, was entered on June 30, 2016 in the U.S. District Court, Southern District of Indiana, Indianapolis Division. Attorneys on the case include Kenneth J. Falk, Gavin M. Rose and Jan P. Mensz, American Civil Liberties Union of Indiana; Helene Kransoff, Planned Parenthood Federation of America; and Jennifer Dalven, American Civil Liberties Union.

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