

April 10, 2020

**ATTORNEY GENERAL RAOUL FILES BRIEF TO SUPPORT ABORTION ACCESS DURING
CORONAVIRUS PANDEMIC**

Chicago — Attorney General Kwame Raoul joined a coalition of 21 attorneys general in filing [an amicus brief](#) in the U.S. Court of Appeals for the 10th Circuit to preserve access to reproductive health care for women in Oklahoma. Last month, Oklahoma banned almost all abortions in the state during the COVID-2019 public health crisis. Raoul and the coalition filed the amicus brief sup-porting the plaintiffs in Southwind Women’s Center LLC v. Stitt, a challenge to the ban brought by two reproductive health clinics and a physician in Oklahoma.

“Oklahoma’s order endangers women and prevents them from accessing potentially life-saving care,” Raoul said. “I will continue to stand against states that use the coronavirus crisis as an op-portunity to push anti-abortion agendas that deny women the ability to make health care deci-sions for themselves and add to the burden on other states’ health care systems.”

On March 24, Oklahoma Gov. Kevin Stitt issued an executive order that postponed all elective surgeries and minor medical procedures in Oklahoma. Three days later, Gov. Stitt’s office con-firmed that “any type of abortion services ... which are not a medical emergency ... or otherwise necessary to prevent serious health risks” are covered by the executive order.

On March 30, the Center for Reproductive Rights, Planned Parenthood Federation of America, and a physician filed a lawsuit challenging the executive order in the U.S. District Court for the Western District of Oklahoma. In response, U.S. District Judge Charles Goodwin issued a tem-porary restraining order halting portions of the Oklahoma abortion ban on the grounds that ban-ning such care was “oppressive,” “unreasonable” and would cause “irreparable harm” to women unable to obtain abortions in the state.

The state of Oklahoma is asking the U.S. Court of Appeals for the 10th Circuit to set aside the lower court’s decision and reinstate the ban. In the brief, Raoul and the coalition are opposing Oklahoma’s request for a stay of the temporary restraining order, stressing that a ban on abor-tions, including medication abortions, infringes on a woman’s constitutional rights. The coalition explains that characterizing the ban as prohibiting only elective procedures fails to recognize that abortion care is time-sensitive and should be separated from medical services that can be delayed during the current public health crisis without harming patients.

Raoul and the coalition argue that if the ban were reinstated, women in in Oklahoma who need abortion care would be forced to travel across state lines and obtain an abortion. This is especially troublesome at a time when the entire U.S. population is being asked to limit travel to stop the spread of COVID-19. Additionally, Raoul and the coalition point out that a ban on abortion would not advance Oklahoma’s stated interests in preserving personal protective equipment (PPE), freeing up hospital beds or preventing the spread of COVID-19 transmissions. Medical abortions do not typically require any PPE, and neither a medical abortion nor a procedural abor-tion require regular hospitalization.

Further, Raoul and the coalition note that residents of Illinois or the amici states may currently be in Oklahoma without a way to return home. The ban instituted by Oklahoma interfered with their rights to time-sensitive reproductive care.

The amicus brief follows a similar amicus brief Attorney General Raoul joined this month, in a lawsuit brought against Texas for instituting a similar abortion ban. Medical professionals — in-cluding the American

College of Obstetricians and Gynecologists — have denounced abortion bans being imposed by multiple states in light of the spread of COVID-19, highlighting that de-lays in providing time-sensitive reproductive health care could “profoundly impact a person’s life, health, and well-being.”

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