



Attorney General Raoul Challenges Restrictive Abortion Law

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CHICAGO – Attorney General Kwame Raoul today led a coalition of 19 attorneys general in filing an amicus brief in the U.S. Court of Appeals for the 6th Circuit, supporting a group of Tennessee abortion providers. The providers are challenging a law requiring women seeking abortions to attend two in-person appointments with physicians no fewer than 48 hours apart.

The plaintiffs in Bristol Regional Women’s Center v. Slatery argue that Tennessee’s waiting-period law subjects women to an unnecessary and onerous requirement that will, in practice, delay abortions and increase the risks for women who seek to obtain them. In today’s brief, Raoul and the coalition explain that waiting period laws are not necessary to ensure informed consent – Tennessee’s stated aim – and impose substantial burdens on women and abortion rights.

“Tennessee’s attempt to restrict its residents’ access to safe and legal abortion services is unconstitutional and compromises the health and well-being of women seeking medical care,” Raoul said. “Women have the right to make their own reproductive health decisions, and I am committed to defending that right.”

In 1992, the U.S. Supreme Court ruled in *Planned Parenthood v. Casey* that a state may impose restrictions on a woman’s right to terminate her pregnancy only if those restrictions are reasonably related to a legitimate state interest, such as protecting women’s health. Following a four-day trial challenging Tennessee’s waiting period law in September 2019, the district court issued a thorough and comprehensive opinion, finding, among other things, that the law “provides no appreciable benefit” to women’s health and instead “imposes numerous burdens that, taken together, place women’s physical and physiological health and well-being at risk.”

In [today’s brief](#), Raoul and the coalition urge the 6th Circuit to uphold the district court’s ruling. Raoul and the coalition explain that, contrary to Tennessee’s suggestion, many

states, including Illinois, do not subject women seeking abortion care to lengthy and onerous waiting periods, and instead treat abortion as one medical service among many, governed by standard ethical and legal obligations to secure patients' informed consent. The attorneys general argue that because there is no evidence that women in these states fail to make informed decisions about their medical needs, Tennessee's waiting-period law is not reasonably related to the aim of ensuring informed consent.

Raoul and the coalition also argue that waiting-period laws impose serious burdens on women seeking medical care by delaying abortions and thereby increasing associated medical risks, as well as adding financial and logistical costs.

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