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FJP Statement on the Leaked Supreme Court Draft Opinion Denying the Constitutional Right to Abortion

[Fair and Just Prosecution](#) Executive Director Miriam Krinsky issued the following statement in response to the leaked [draft](#) Supreme Court majority opinion in *Dobbs v. Jackson Women's Health Organization* explicitly overturning *Roe v. Wade* and eviscerating the constitutional right to abortion:

“We are outraged and deeply troubled that the Supreme Court is on the verge of ending the longstanding constitutional right to abortion. Although abortion remains legal across the country right now, our highest court seems poised to overturn a half-century of legal precedent and end this fundamental right. If the Court delivers this opinion as law, it will have devastating consequences for public safety, trust in the integrity of the rule of law and the interests of justice.

Criminalizing abortion will not end abortion; it will simply end safe abortions, forcing the most vulnerable among us — as well as medical providers — into impossible decisions. If this draft opinion is issued, people will die because of it and the safety of communities nationwide will be threatened. In a world without *Roe*, limited resources that should be spent addressing serious crime will instead potentially be used to enforce abortion bans. And law enforcement will have more difficulty gaining the trust of victims and witnesses of crime when those members of our community lack trust in the justice system and believe their personal healthcare decisions may be criminalized.

That’s why last year, nearly 100 criminal justice leaders urged the Court to affirm *Roe v. Wade* in an [amicus brief](#) filed in the case at issue today, and in 2020, 68 elected prosecutors [vowed](#) to never prosecute individuals for obtaining or providing abortions. Every elected prosecutor in the country will have a choice to make in the wake of this devastating decision — they have immense discretion to decide which cases should be prosecuted and an obligation to pursue only those that serve the interests of justice and promote public safety. We are proud to stand with elected prosecutors who have committed to use their discretion to do what’s right and refuse to enforce laws criminalizing abortion.

With the Supreme Court seemingly prepared to decimate the right to abortion any day now, we need many more leaders nationwide who are willing to take a stand and pledge to not prosecute private healthcare decisions. We will not stop fighting until every individual has the power to control their own bodies, lives and futures.”

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Fair and Just Prosecution is a national network of elected prosecutors working towards common-sense, compassionate criminal justice reforms. To learn more about FJP’s work, visit our [website](#) and follow us on [Facebook](#), [Twitter](#), and [LinkedIn](#).