

UPDATED 6/29/22



FOR IMMEDIATE RELEASE

June 24, 2022

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With *Roe* Overturned, 90 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 to overturn *Roe v. Wade*, 90 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 over 91.5 million people from 31 states and territories and the District of Columbia, including over 28.5 million from 12 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.

“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.”

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.

“As an elected prosecutor, I took an oath to protect all in my community in the pursuit of justice. Using limited resources to prosecute personal healthcare decisions would be a violation of that promise,” said **Bexar County (San Antonio), Texas District Attorney Joe Gonzales**. “Outlawing abortion will not end abortion; it will simply end safe abortions and prevent people from seeking the

UPDATED 6/29/22

care and help they need for fear of criminal prosecution. I refuse to subject members of my community to that risk.”

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.

“Anti-abortion laws endanger the lives and health of marginalized individuals whose access to safe abortion procedures will be restricted the most,” said **DeKalb County, Ga. District Attorney Sherry Boston**, a signatory to the statement. “Our focus should be on violent offenders and crimes that truly impact public safety and quality of life for the communities we serve.”

“The voters that elected me Michigan’s Attorney General did so knowing I would never place women in the untenable position of having to choose between exercising their personal healthcare decisions and the threat of criminal prosecution,” said **Michigan Attorney General Dana Nessel**, another signatory to the statement. “I have never wavered in my stance on this issue, and I will not prosecute women or their medical providers for a personal medical decision.”

The signatories include Attorneys General **Joshua R. Diamond** (Vermont - Acting AG), **Keith Ellison** (Minnesota), **Maura Healey** (Massachusetts), **Kathleen Jennings** (Delaware), **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.), **Carol Siemon** (Ingham County, Mich.), **Matthew J. Wiese** (Marquette County, Mich.) and **Jason Williams** (Orleans Parish, La.).

The full statement is available [here](#) and see below for a full list of signatories.

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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](#).

UPDATED 6/29/22

List of Signatories

Patsy Austin-Gatson

District Attorney, Gwinnett Judicial Circuit, Georgia

Diana Becton

District Attorney, Contra Costa County, California

Wesley Bell

Prosecuting Attorney, St. Louis County, Missouri

Buta Biberaj

Commonwealth's Attorney, Loudoun County, Virginia

Sherry Boston

District Attorney, DeKalb County, Georgia

Chesa Boudin

District Attorney, City and County of San Francisco, California

Alvin Bragg

District Attorney, New York County (Manhattan), New York

Aisha Braveboy

State's Attorney, Prince George's County, Maryland

Mary Carmack-Altwies

District Attorney, 1st Judicial District, New Mexico

Danny Carr

District Attorney, Jefferson County, Alabama

Christian Champagne

District Attorney, 6th Judicial District, Colorado

John T. Chisholm

District Attorney, Milwaukee County, Wisconsin

John Choi

County Attorney, Ramsey County, Minnesota

Dave Clegg

District Attorney, Ulster County, New York

Shameca Collins

District Attorney, 6th Judicial District, Mississippi

UPDATED 6/29/22

Shalena Cook Jones

District Attorney, Chatham County (Savannah), Georgia

David Cooke

District Attorney, Macon Judicial Circuit, Georgia

John Creuzot

District Attorney, Dallas County, Texas

Ann Davison

City Attorney, Seattle, Washington

Satana Deberry

District Attorney, Durham County, North Carolina

Parisa Dehghani-Tafti

Commonwealth's Attorney, Arlington County and the City of Falls Church, Virginia

Steve Descano

Commonwealth's Attorney, Fairfax County, Virginia

Joshua R. Diamond

Acting Attorney General, Vermont

Michael Dougherty

District Attorney, 20th Judicial District (Boulder), Colorado

Matt Ellis

District Attorney, Wasco County, Oregon

Keith Ellison

Attorney General, Minnesota

Ramin Fatehi

Commonwealth's Attorney, City of Norfolk, Virginia

Kimberly M. Foxx

State's Attorney, Cook County (Chicago), Illinois

Glenn Funk

District Attorney, Nashville, Tennessee

José Garza

District Attorney, Travis County (Austin), Texas

George Gascón

District Attorney, Los Angeles County, California

UPDATED 6/29/22

Sarah F. George

State's Attorney, Chittenden County (Burlington), Vermont

Joe Gonzales

District Attorney, Bexar County (San Antonio), Texas

Deborah Gonzalez

District Attorney, Western Judicial Circuit (Athens), Georgia

Eric Gonzalez

District Attorney, Kings County (Brooklyn), New York

Mark Gonzalez

District Attorney, Nueces County (Corpus Christi), Texas

Andrea Harrington

District Attorney, Berkshire County, Massachusetts

Maura Healey

Attorney General, Massachusetts

John Hummel

District Attorney, Deschutes County, Oregon

Natasha Irving

District Attorney, 6th Prosecutorial District, Maine

Kathleen Jennings

Attorney General, Delaware

Melinda Katz

District Attorney, Queens County, New York

Alexis King

District Attorney, 1st Judicial District, Colorado

Zach Klein

City Attorney, Columbus, Ohio

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District Attorney, Philadelphia, Pennsylvania

David Leyton

Prosecuting Attorney, Genesee County, Michigan

Rebecca Like

Prosecuting Attorney, County of Kaua'i, Hawaii

UPDATED 6/29/22

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Attorney General, Northern Mariana Islands

Brian Mason

District Attorney, 17th Judicial District, Colorado

Beth McCann

District Attorney, 2nd Judicial District (Denver), Colorado

Karen McDonald

Prosecuting Attorney, Oakland County, Michigan

Colette McEachin

Commonwealth's Attorney, Richmond, Virginia

Gordon McLaughlin

District Attorney, 8th Judicial District, Colorado

Ryan Mears

Prosecuting Attorney, Marion County (Indianapolis), Indiana

Brian Middleton

District Attorney, Fort Bend County, Texas

Stephanie Morales

Commonwealth's Attorney, Portsmouth, Virginia

Michael W. Morrissey

District Attorney, Norfolk County, Massachusetts

Marilyn J. Mosby

State's Attorney, Baltimore City, Maryland

Jamie Mosser

State's Attorney, Kane County, Illinois

Dana Nessel

Attorney General, Michigan

Michael O'Malley

County Prosecutor, Cuyahoga County (Cleveland), Ohio

Nancy O'Malley

District Attorney, Alameda County, California

Jody Owens

District Attorney, Hinds County, Mississippi

UPDATED 6/29/22

Alonzo Payne

District Attorney, 12th Judicial District (San Luis), Colorado

Joseph Platania

Commonwealth's Attorney, City of Charlottesville, Virginia

Bryan Porter

Commonwealth's Attorney, City of Alexandria, Virginia

Dalia Racine

District Attorney, Douglas County, Georgia

Karl Racine

Attorney General, District of Columbia

Carrie Rasmussen

District Attorney, Hood River County, Oregon

Eric Rinehart

State's Attorney, Lake County (Waukegan), Illinois

Mimi Rocah

District Attorney, Westchester County, New York

Jeff Rosen

District Attorney, Santa Clara County, California

Marian Ryan

District Attorney, Middlesex County, Massachusetts

Dan Satterberg

Prosecuting Attorney, King County (Seattle), Washington

Eli Savit

Prosecuting Attorney, Washtenaw County (Ann Arbor), Michigan

Mike Schmidt

District Attorney, Multnomah County (Portland), Oregon

Carol Siemon

Prosecuting Attorney, Ingham County (Lansing), Michigan

Jack Stollsteimer

District Attorney, Delaware County, Pennsylvania

David Sullivan

District Attorney, Northwestern District, Massachusetts

UPDATED 6/29/22

Shannon Taylor

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District Attorney, Bernalillo County (Albuquerque), New Mexico

Suzanne Valdez

District Attorney, Douglas County (Lawrence), Kansas

Matthew Van Houten

District Attorney, Tompkins County (Ithaca), New York

Dora A. Villarreal

State's Attorney, Rock Island County, Illinois

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State Attorney, 13th Judicial Circuit (Tampa), Florida

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Attorney General, Colorado

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District Attorney, Augusta Judicial Circuit, Georgia

Jason Williams

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Todd Williams

District Attorney, Buncombe County (Asheville), North Carolina