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Nearly 100 Criminal Justice Leaders Urge Supreme Court to Protect the Constitutional Right to Abortion Access

Today, a bipartisan group of nearly 100 current and former elected prosecutors and law enforcement leaders, and former state attorneys general, federal and state court judges, U.S. Attorneys and Department of Justice officials filed an [amicus brief](#) in the United States Supreme Court in *Dobbs v. Jackson Women's Health Organization* urging the Court to respect 50 years of precedent and prevent the potential criminalization of abortion and personal healthcare decisions. The signatories emphasize that overturning *Roe v. Wade* would “erode public trust, undermine the legitimacy and efficacy of law enforcement and prosecutorial officials, and divert limited criminal justice resources that could otherwise be used to ... promote public safety” in communities across the country.

In *Dobbs v. Jackson Women's Health Organization*, the Supreme Court will consider Mississippi's draconian pre-viability abortion ban that outlaws abortion after 15 weeks of pregnancy. The brief notes that if the Court were to allow this law to be implemented, it would essentially overturn *Roe*, paving the way for criminal laws in at least 18 other states to go into effect that would threaten prosecution of people who seek abortions as well as their healthcare providers. This case comes to the Court at a time when a recently enacted law in Texas has essentially shuttered abortion clinics in that state.

“Abortion access is a well-settled constitutional right, and upending that right after five decades of settled law would be an incredible intrusion on individual choice and a threat to public safety,” said **Miriam Krinsky, Executive Director of Fair and Just Prosecution**, the organization that coordinated the brief. “Overturning *Roe v. Wade* would not end abortions; it would simply increase the risk of unsafe and unsupervised procedures for millions of people, putting poor women and women of color most at risk. Prosecutors and criminal justice leaders are charged with shielding communities from these deeply concerning outcomes, not perpetuating them and thereby eroding confidence in the rule of law.”

Amici emphasize that trust in the criminal legal system, which is critical to promoting community safety, would be severely damaged by unsettling established constitutional rights and opening the door for the prosecution of those who seek or perform abortions. If *Roe* is overturned, the signatories note, “the safety and well-being of entire communities will suffer.” They encourage the Court to “decline to embroil our law enforcement institutions in a personal and divisive issue that will detract from the ability of law enforcement and criminal justice leaders to work with and seek the cooperation of the community in our joint effort to promote public safety.”

“My responsibility as an elected prosecutor is to protect the safety and well-being of all in my community. Criminalizing abortion will make us less safe and put the most vulnerable among us at risk,” said **Winnebago County, Wis. District Attorney Christian Gossett**, a signatory to the brief.

“Women and medical professionals should not be put in the unthinkable position of facing criminal prosecution for exercising personal and essential healthcare choices,” added **Durham County, N.C. District Attorney Satana Deberry**, another of the many elected prosecutors who joined the brief.

The brief also stresses that “overturning *Roe* will undoubtedly cause terrible harm to women and children,” highlighting that abortion restrictions and criminalization do not accomplish their intent to end abortion but rather “relegate it to less safe and unsupervised settings” and deter women from seeking needed medical care and sharing information with medical providers. They add that the majority of women who seek abortions are already mothers and are more likely to be victims of domestic violence.

“At a time when we should be invested in building trust with the communities we serve, ending the right to safe and legal abortion would compromise faith in law enforcement and the entire justice system,” said signatory **Jim Bueermann, former Chief of Police of Redlands, Calif. and former President of the National Police Foundation**. “Healthcare decisions are between an individual and their doctor – they should not be the jurisdiction of police and prosecutors.”

“Overturning such well-established judicial precedent as *Roe v. Wade* would undermine faith in the entire judicial system,” said **Timothy K. Lewis, a former Circuit Judge of the United States Court of Appeals for the Third Circuit** and one of the *amici* who joined the brief.

“The Court has clearly held for five decades that women have the right to make their own healthcare decisions, and retreating from this precedent would be a danger to the integrity of our judicial and criminal legal institutions,” added **former U.S. District Court of Massachusetts Judge Nancy Gertner**, also a signatory to the brief.

Amici are represented by a team of attorneys at **Weil, Gotshal & Manges LLP**, including John P. Mastando III, Lauren Bernstein, Tania C. Matsuoka, Frank T. Ungerer, Hong Zhang and Sherry Safavi.

Read the brief [here](#) and see below for a complete list of *amici*.

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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](#).

List of Amici

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