



SUPREME COURT RULING STOPS ABORTIONISTS FROM PERFORMING PARTIAL-BIRTH ABORTION

“Abortion harms women. No abortion contributes to the well-being of a woman. Finally, by upholding the ban on partial-birth abortion, the Supreme Court of the land has recognized that ‘the woman’s health’ can no longer be used as a smokescreen to justify this gruesome procedure of partial-birth abortion.” *Peggy Hartshorn, President of Heartbeat International.*

ALBERTO R. GONZALES, ATTORNEY GENERAL, PETITIONER v. LEROY CARHART ET AL.; ALBERTO R. GONZALES, ATTORNEY GENERAL, PETITIONER v. PLANNED PARENTHOOD FEDERATION OF AMERICA, INC., ET AL. Nos. 05-380 and 05-1382 U. S. SUPREME COURT

- Held by the Supreme Court of the United States: the Partial-Birth Abortion Act does not impose an undue burden on a woman's right to abortion based on its over breadth or lack of a health exception.
- This is a victory because it is the first time that an abortion procedure has been banned nationwide since *Roe v. Wade* and *Doe v. Bolton* were decided by the Supreme Court in 1973.
- *Doe v. Bolton* defined "health" as including a woman's age, physical, psychological and familial factors. This new Supreme Court ruling on partial-birth abortion did NOT give us a new definition of health. *Doe v. Bolton* still stands. The victory is that the lack of a “health” exception to the Partial-Birth Abortion Act was not fatal to its constitutionality. In other words, everyone always argues that abortion legislation is unconstitutional if you leave out this health exception. Congress chose to leave out a health exception in the Partial-Birth Abortion Act. The Supreme Court said “ok” in this instance – the Act is still constitutional.
- In this recent 5-4 decision, Justices Roberts, Alito, Scalia, Thomas and Kennedy ruled in favor. Justice Ruth Bader Ginsburg, formerly an attorney for the pro-abortion ACLU, dissented along with Justices Stevens, Souter and Breyer. Kennedy, considered a swing vote on abortion, sided with the majority so we can hope that this majority might hold if and when a case comes before the Supreme Court that might result in overturning *Roe v. Wade*.
- The reaction at Heartbeat International is mixed because the ban on partial-birth abortion has no effect on the other 3,000 to 4,000 abortions performed daily in the United States. So Heartbeat’s Option Line®, a joint venture with Care Net, continues 24/7 to connect people in crisis to their closest pregnancy center. This support can be reached by phone, 1.800.395.HELP, or at www.OptionLine.org
- Notably, Planned Parenthood Federation of America brought this case before the Supreme Court in an attempt to circumvent the Partial-Birth Abortion Act. In addition, Planned Parenthood, the National Abortion Federation and other doctors who perform partial-birth abortions had brought lawsuits in California, New York and Nebraska in an effort to prevent enforcement of the Partial-Birth Abortion Act.
- Heartbeat International and our affiliates advocate for the true reproductive health and well-being of women. Abortion is not a medical “treatment” that can improve a woman’s health. The very idea of an abortion to preserve a woman’s health is a smokescreen used to promote a culture characterized by sexual gratification separated from responsibility. Women we see in our pregnancy centers testify daily to the painful physical and emotional effects of abortion.
- We applaud the life affirming groups and all concerned citizens as well as state and federal legislators who have persevered over more than a decade in the fight to ban this cruel, barbaric procedure.

To schedule an interview with Peggy Hartshorn, contact Virginia Cline at 614/ 885.7577 or via email at VCline@HeartbeatInternational.org Additional information is available at www.nrlc.org and www.HeartbeatInternational.org