

# Democratic-led Louisiana bans abortion after Supreme Court overturns *Roe v. Wade*

Kate Randall  
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Louisiana will ban virtually all abortions in the state after the U.S. Supreme Court ruling Friday overturned the long-standing *Roe v. Wade* decision. Louisiana becomes one of 26 US states that will now ban or severely restrict the right to abortion.

Anti-abortion laws have been signed into law in Louisiana by two Democratic governors. On Tuesday, the current governor, John Bel Edwards, a devout Catholic and long-time abortion opponent, signed two abortion bills that ban most abortions, criminalize them and impose draconian penalties for those who perform the procedure.

The state's criminal code defines "person" as "a human being from the moment of fertilization and implantation."

Senate Bill 388 strengthens the so-called trigger law from 2006 that went into immediate effect with the Supreme Court decision. That law, SB 342, was signed into law by then-Governor Kathleen Blanco, also a Democrat. Like the original law, it makes no exception for a pregnancy that results from rape or incest and imposes harsh sentences and fines on anyone who performs an abortion.

The law increases penalties for doctors or anyone else found guilty of performing an abortion to one to 10 years of prison time and fines of \$10,000 to \$100,000. When the gestational age of the fetus is 15 weeks or more, a physician performing an abortion is subject to up to 15 years in prison and a fine of up to \$200,000.

Edwards said that he signed the trigger law despite objecting to the lack of exceptions. "I am pro-life and have never hidden from that fact," he said in a signing statement. "This does not belie my belief that there should be an exception to the prohibition on abortion for victims of rape and incest."

The law does allow for abortion in the case of an

ectopic pregnancy, when a fertilized egg implants outside the uterus and cannot survive. It also provides for an exception for when giving birth would threaten the life of the mother. Suicidal thoughts or mental illness cannot be used to justify an abortion. Both exceptions require that two doctors sign off on the procedure.

The bill does not ban Plan B, or "morning after" pills or "other emergency contraception." A woman terminating her pregnancy supposedly would not face criminal charges.

However, Senate Bill 388 prohibits the sale of abortion-inducing medication by prescribers outside the state. It effectively bans abortions facilitated by mail, expanding the definition of criminal abortion to include delivering, dispensing, distributing or providing abortion-inducing medications when the person administering the medication is not a doctor licensed in Louisiana.

Violation of SB 388 is punishable by five to 10 years of prison time or a fine of \$10,000 to \$75,000, or both. If the medication is provided to a pregnant minor, the penalty ranges from 15 to 50 years of imprisonment or a \$15,000 to \$100,000 fine, or both. This law goes into effect on August 1.

Thirty years ago there were 11 abortion clinics in Louisiana. The Supreme Court ruling will force the closure of the three remaining clinics—in New Orleans, Baton Rouge and Shreveport.

Abortion clinics in the state have already closed their doors in response to operating requirements imposed by the state. They have faced more stringent building requirements than similar medical centers, and both a doctor and a nurse had to be present for a surgical abortion to be performed.

Staff have been required to read a state-mandated

script directing patients to consider alternatives to abortion. In May, the state-mandated waiting period increased from 24 hours to 72 hours, meaning that women had to wait three days between their initial appointment to the date the abortion was performed.

Hope Medical Center, the clinic in Shreveport, has had a waiting list of 400 people, with abortion appointments booking at least two and a half weeks in advance. Women who called the clinic this week will now not be able to see a doctor. Clinic administrator Kathaleen Pittman told the *Louisiana Illuminator* that some patients are not aware of the immediate impact of the Supreme Court ruling.

The Shreveport clinic has already seen a huge influx of patients seeking abortions from neighboring Texas, since the state banned abortion after six weeks of pregnancy. With the overturning of *Roe v. Wade*, in 30 days abortions in Texas will be illegal except to save the life of the mother.

Women seeking a surgical abortion will be forced to travel to states where abortion remains legal, such as North Carolina, Illinois or California. Florida currently allows abortions up to fetal viability. On July 1, however, a ban on abortions after 15 weeks takes effect.

In 2021, 64 percent of the Louisiana's abortion patients were African American, and 89 percent were unmarried, according to state health statistics. Fifty-eight percent were ages 20 to 29; 27 were under the age of 15, 66 were under 18 years old and 11 were over age 45.

Pittman told the *Illuminator* that most patients receiving abortions at Hope Medical Center already have children and are seeking the termination of their pregnancies for financial reasons. "Women simply know they cannot afford to have another child at this point," she said.

The ban will have the greatest impact on poor and minority women in those states where abortion is now illegal or potentially illegal. Many will not be able to afford the travel expense or the time needed to obtain the procedure. Women will be forced to carry unwanted pregnancies to term or seek out dangerous and potentially deadly illegal abortions.

According to *Politico*, abortion is now illegal in five states: Kentucky, Louisiana, Oklahoma, South Dakota and Texas. It is potentially or soon to be illegal in 11

states: Alabama, Idaho, Mississippi, Missouri, North Dakota, Tennessee, Utah, West Virginia, Wisconsin and Wyoming.

Abortion is currently legal in Alaska, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Hawaii, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia and Washington.

It is legal for the time being in Arizona, Georgia, Michigan, North Carolina, Ohio and South Carolina.



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