



Elections & Laws for Life

Dobbs v. Jackson Mississippi Late Abortion Case Talking Points

Background: In 2018, Mississippi passed a law limiting abortions after 15 weeks of pregnancy, except to save the life and preserve the physical health of the mother, or in cases of severe fetal abnormality.

SCOTUS has agreed to consider the question, “***Are all pre-viability bans on abortion unconstitutional?***” The Court will hear oral arguments on December 1 of this year and issue a ruling in its 2021-2022 term.

Under *Roe v. Wade* and *Planned Parenthood v. Casey*, “pre-viability” abortion laws have been blocked for decades by federal courts. The decision in this case could allow more extensive protections for the unborn to go into effect without interference by federal courts.

Talking Points:

- Since *Roe* was decided in 1973, SCOTUS has imposed legal abortion on-demand nationwide. The grip of this decision has blocked commonsense pro-life laws from going into effect.
- Americans recognize that the court-imposed viability standard is inhumane.
 - **80% of Americans** reject abortion after the first three months of pregnancy.
 - **55% of likely voters** are more likely to support a 15-week limit on abortion after learning that an unborn child can feel pain.
- Elected state and federal officials, representing their constituents, should have the ability to protect unborn children from brutal abortions.
- The viability standard is highly outdated.
 - In the nearly five decades since *Roe* was decided, science and technology have revealed much more about fetal development. By at least 15 weeks, babies in the womb:
 - Have a heartbeat (6 weeks)
 - Develop pain receptors (7 weeks)
 - Have arms, legs, fingers, and toes (10 weeks)
 - Can kick and will jump if startled (10 weeks)
 - Respond to light touch throughout almost their entire body (13-14 weeks)
 - Have fully developed hearts (15 weeks)

- Can taste and make facial expressions, yawn, hiccup, swallow, and suck their thumbs (15 weeks)
- Laws like Mississippi's would bring the U.S. closer to the international mainstream.
 - 47 out of 50 European nations limit elective abortion prior to 15 weeks according to a comprehensive analysis by the Charlotte Lozier Institute.

Learn more at sbalist.org/scotus