

Minn. Taxpayers Forced to Pay for Elective Abortions

Alliance Defending Freedom attorneys and allied attorneys filed suit Tuesday on behalf of two African-American taxpayers in Minnesota who are challenging the unauthorized use of state funding for **elective abortions**.

Minnesota can only use public funds for abortions that are defined as medically necessary, but government reporting statistics clearly demonstrate that **tax dollars** have paid for thousands of elective abortions for indigent women, including a disproportionate number performed on African-Americans. More than 40 percent of publicly funded abortions were carried out on African-Americans, even though they account for just over 5 percent of the state's population.

"The critical taxpayer dollars of Minnesotans should not be used for medically unnecessary abortions, nor should such funding be used to take the lives of more African-American babies than other babies," said Lead Counsel Chuck Shreffler, one of nearly 2,200 allied attorneys with ADF.

"The reporting statistics are unambiguous," added ADF Senior Counsel Steven H. Aden, who is co-counsel in the case. "The state is indisputably funding medically unnecessary abortions in violation of state law, and 40 percent of the abortions are being executed on African-Americans even though they make up only 5 percent of the state's population. This lawsuit intends to stop this from continuing."

The complaint in the case, *Walker v. Jesson*, was filed in the Minnesota District Court for Ramsey County, Second Judicial District.

From 1999 through 2011, Minnesota taxpayers paid for 47,095 abortions performed on indigent women, according to the

Minnesota Department of Health. The data indicates that, at most, only 10,044 of these **abortions** were done for a “medically necessary” reason, meaning that the state paid for more than 37,000 unauthorized abortions. The statistics regarding the number of abortions performed on African-Americans also came from the Department of Health.

In the late 1970s, the Minnesota Legislature passed a statute limiting the abortions for which it would pay and prohibited taxpayer funding for elective abortions. In 1995, the Minnesota Supreme Court struck down the statute and ruled in *Doe v. Gomez* that the state cannot withhold state funding for medically necessary abortions. The ruling made clear, however, that “this court’s decision will not permit any woman eligible for medical assistance to obtain an abortion ‘on demand.’”

“The Department of Health statistics show that the state is going far beyond what the Minnesota Supreme Court required in that decision,” Shreffler explained.

The Minnesota Family Council, which advises state lawmakers on family-related matters and supports the lawsuit, says it believes the new facts provide the courts with a good reason to reconsider the public abortion funding mandate in *Doe v. Gomez*.