

Oklahoma's COVID-19 Ban on Abortion Challenged in Court

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Emergency lawsuit filed against Oklahoma following state orders to stop abortion care during the pandemic

OKLAHOMA CITY, OK – Today, the Center for Reproductive Rights, Planned Parenthood Federation of America and Dechert LLP challenged an Oklahoma order effectively banning abortion care in the state. The March 24 order (<https://www.oklahoma.gov/documents/Executive-Response>) issued by Oklahoma Governor Kevin Stitt in response to the coronavirus (COVID-19) pandemic, requires all “elective” medical and surgical procedures be postponed. In a press release issued March 27, Governor Stitt singled out abortion care, claiming the order prohibited all abortions in the state.

“A global pandemic is not an excuse to attack essential, time-sensitive medical procedures like abortion,” said **Alexis McGill Johnson, acting president and CEO, Planned Parenthood Federation of America**. “Yet that’s exactly what anti-abortion politicians and activists are trying to do, instead of working together to ensure everyone has access to health care. These political distractions cost valuable time and resources that our state and federal officials cannot afford to waste. Abortion is essential and patients who need care cannot wait. This is what it’s come down to: court battles just so doctors and nurses can care for patients during a public health crisis. Anti-abortion politicians have gone too far.”

“Abortion is an essential and time-sensitive medical procedure – and it must remain accessible, no matter what,” said **Brandon Hill, PhD, president and CEO of Comprehensive Health of Planned Parenthood Great Plains**. “In a time when officials should focus on science and data to stem the tide of a public health crisis, it is unconscionable to take any action that would delay or deny access to safe, legal abortion. Emergency orders during a pandemic should advance the health and safety of Oklahomans, not try to score political points by using a national crisis to deny critical health care.”

“Oklahoma’s abuse of emergency powers to ban abortion care is dangerous and unconstitutional,” said **Nancy Northup, President and CEO of the Center for Reproductive Rights**. “Oklahoma has tried year after year to limit access to abortion and the Governor’s order is a cynical attempt to use the current crisis to push an ideological agenda. We have filed suit to protect access to essential, time-sensitive health care that profoundly impacts women’s lives, health and wellbeing.”

“The state claims this order is meant to protect health care professionals and stop the spread of the virus, but forcing women to travel out of state for abortion care is completely contrary to that goal,” said **Julie Burkhart, Founder and CEO of Trust Women**. “Like many of us, our patients are taking care of kids while schools are closed, and some have lost their jobs. Having to tell them that we can’t help them, that the state has tied our hands, is heart-wrenching.”

Just last week, Planned Parenthood and the Center for Reproductive Rights, along with the Lawyering Project,

([TV news The state of Texas \(after Attorney General Ken Paxton announced his office would similarly target](https://urldefense.proofpoint.com/v2/url?u=https-3A__u7061146.ct.sendgrid.net_ls_click-3Fupn-3D4tNED-2D2FM8iDZJQyQ53jATUe7fjz1DKa91YQClA0LcnzuV65CCyh5ffMndKeE3NqdJC26ZM5AtuKRO1M-2D2BLcnEDFtagSCDYRrbgV2RXzO7mM3bfqZo7KcOBFwVxAPMI8sri1wHF5oC7YT-2D2BckcYO7XsQJldSDK1ZH66STHh-2D2BcDJWcvQmHAawyEGRexdJjNMUEnw4s5yt-5FbgCe8ihr4o6NyOkoW5UJVk4fMlaqDVWK1TwlqaPo84-2D2BTQU-2D2BrmQLW7zQQct0JEJx7lrJHH94Ads0pZogNkXRUBHupN3cHK-2D2Bqs2-2D2Fi-2D2FDMSPqerGPscF3Sto1lZyBqjhsMaeU9GdrYkgQEEhBMaL448027-2D2FXjwon5lpa99Ewdx57GkohEeQXFgry6dyAP1HQ2kiAFf3t3sEoNfa9RmlPXpzHi9Qovuyfc-2D2FigrGP- room/texas-2D2Bkghrf7cni- abortion-2D2FSIPOdn6kGXdcSWpDh0pLers-2D2B1ODcWATWjaxBAkileho7d6l-2D2FjtVEVNtSqqgn9s44Oybnjhty6vDtd-2D2BgsOC8utcXErL8mbDwz2FbbcrulXyDFqMgsJiBEX1w2ellhZ270-2D3D&d=DwMFaQ&c=MeYpdUXA_fD4PBleyTV_Lw&r=qfA8qzOts3wUquVURCU_u9Ntrz_SqQyG-UW4XElahWU&m=N9zwasvntUayeuPA_K2A7K8hCa2dYPHqU6c7sQxONBs&s=srNiCC7-nHPoxueCmt0QgvEy- abortion-</p>
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([<https://www.plannedparenthood.org/about-us/newsroom/press-releases/oklahomas-covid-19-ban-on-abortion-challenged-in-court-2>](https://urldefense.proofpoint.com/v2/url?u=https-3A__u7061146.ct.sendgrid.net_ls_click-3Fupn-3D4tNED-2D2FM8iDZJQyQ53jATUXOijB5VriAX5mRNsfv8igPKG8JUCZ2R8VtaWnEv-2D2FhCRAqpovwRSCSwqyd8oWWHpyJajW-2D2Fw9Q-2D2BzkPHtG92FYY-2D2FwLilkWlqTjo9K9flL2uD7Fed1Zpxh7Cb6jqZ-2D2FgQYUrAw-2D3D-2D3D1JYh-5FbgCe8ihr4o6NyOkoW5UJVk4fMlaqDVWK1TwlqaPo84-2D2BTQU-2D2BrmQLW7zQQct0JEJx7lrJHH94Ads0pZogNkXRUBHupN3cHK-2D2Bqs2-2D2Fi-2D2FDMSPqerGPscF3Sto1lZyBqjhsMaeU9GdrYkgQEEhBMaL448027-2D2FXjwon5lpa99Ewdx57GkohEeQXFgry6dyAP1HQ2kiAFf3t3sEoNfa9RmlPXpzHi596f-2D2FWEcEzLFGnSqG7s-2D2FRDWxWVvEtg9z0WAp-2D2BtkKolWQL5M-2D2FqA2OxBg1kONO4euab-</p>
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abortion providers under the state-wide order (2020.pdf) prohibiting unnecessary surgeries and procedures.

The American College of Obstetricians and Gynecologists and other leading medical groups released

(<https://www.acog.org/news/news-releases/2020/03/joint-statement-on-abortion-access-during-the-covid-19->

a statement ~~on abortion~~ this month denouncing attempts to ban abortion in light of COVID-19 and stating that "abortion is an essential component of comprehensive health care," and that any delay could "profoundly impact a person's life, health, and well-being."

The lawsuit filed today argues that Oklahoma's order effectively bans abortion in Oklahoma, violating *Roe v. Wade* and nearly 50 years of Supreme Court precedent protecting a woman's right to liberty and autonomy under the Fourteenth Amendment. The lawsuit also argues that forcing women to travel out of state for abortion care, or to carry an unwanted pregnancy to term and give birth, will increase the risk of spreading COVID-19 and undermine the state's asserted goal of preserving medical resources.

This lawsuit was filed by T.J. Tu with the Center for Reproductive Rights, along with Planned Parenthood Federation of America, pro-bono counsel Dechert LLP, and local counsel Blake Patton of Walding & Patton PLLC. Plaintiffs in the case are Trust Women—an abortion provider with clinics in Oklahoma and Kansas—Dr. Larry Burns, and Comprehensive Health of Planned Parenthood of the Great Plains.

([https://reproductiverights.org/sites/default/files/2020-](https://reproductiverights.org/sites/default/files/2020-03/Stamped%20complaint.pdf)

The full complaint is available here (2020-03/Stamped%20complaint.pdf)

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Planned Parenthood is the nation's leading provider and advocate of high-quality, affordable health care for women, men, and young people, as well as the nation's largest provider of sex education. With more than 600 health centers across the country, Planned Parenthood organizations serve all patients with care and compassion, with respect and without judgment. Through health centers, programs in schools and communities, and online resources, Planned Parenthood is a trusted source of reliable health information that allows people to make informed health decisions. We do all this because we care passionately about helping people lead healthier lives.