

# HB 454 Challenged by EMW and ACLU

## Suit against state of Ky to go to trial 11-13-18

? <http://krla.org/>

### Irreparable Harm?

The significance of the EMW Clinic suit against the State of Kentucky to overturn HB 454, the “Dismemberment Abortion” bill, is easy to understand. Point 23 of their Complaint states that D&E abortions account for more than 95% of second trimester abortions nationally. We assume EMW's percentage is no different. This would severely affect their practice.

Point 1 says: This is a constitutional challenge to a profoundly harmful statute that is plainly unconstitutional under binding Supreme Court and Sixth Circuit authority, and that is inflicting acute and irreparable harm on Kentuckians each and every hour it remains in effect.

The new law being challenged stops access to abortion at and after 11 weeks of pregnancy, but according to the court document, the time frame is 15 weeks (point 1). The litigation will clear this up.

The trial has been set for November 13, 2018. Two defendants, Attorney General Beshear and Michael Rodman, Exec. Dir. of Ky. Board of Medical Licensure, have been dismissed without prejudice. Governor Bevin is defending HB 454 but our AG refuses to.

The Judge dismissed the plaintiff's request for a June 5 preliminary injunction hearing that would drag out the legal process. That was good news!

EMW will be represented by local firm Ackerson & Yann PSC, the ACLU of Ky Foundation and the ACLU Foundation (NY), both 501c3 orgs. Two ACLUs = more legal resources. That's bad news.

Let's pray for an end to D&E abortions.