



CHUCK WICHGERS

STATE REPRESENTATIVE • 84th ASSEMBLY DISTRICT

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Supreme Court Rules on Wisconsin Abortion Law *Liberal Majority Ignores Legislative Intent and Dehumanizes Babies*

Madison – Today, the Wisconsin Supreme Court ruled that Wisconsin’s 1849 law criminalizing the intentional destruction of an unborn child – does not ban abortion.

Representative Wichgers released the following statement:

“The Legislature had opportunity over the years to repeal Wisconsin’s 1849 abortion ban and they could have. But they did not. Today, the Wisconsin Supreme Court did it for them.

With any new state abortion regulation passed, the Legislature could have repealed s. 940.04 banning abortion. The Legislature chose not to because that was not their intention. Today, the Wisconsin Supreme Court legislated from the bench, and did it for the Legislature. The pro-abortion justices on the court realized they had a way to allow abortion in Wisconsin following the *Dobbs* decision in 2022. That is what happened today. This ruling takes Wisconsin backwards. The only way the court made this ruling is because a majority of justices believe the unborn baby is not fully human. Abortion is *by definition* the intentional destruction of an unborn child and this ruling now removes protection for some human beings. The court seems to believe some human beings who are living and growing are not human. That is sad, old, and dangerous logic.

This ruling will have a profound impact on how Wisconsinites view all human life, not just the unborn. In 1848, Wisconsin became a free state and prohibited slavery in Article 1, Section 2 of the constitution. In 1849, state statute banned abortion, and was tightened in 1858. Both slavery and abortion can be allowed when personhood is denied to a human being. This ruling unfortunately re-opens the question of what makes a human a person. Therefore, Dr. Alveda Celeste King, whose uncle was Dr. Martin Luther King, Jr. can say, *‘[N]obody who honors the legacy of Martin Luther King, Jr. and nobody who claims to admire the Civil Rights movement can ignore abortion any longer.’* This decision put politics over principles. Basic, natural law says that intentional killing is wrong, and that can and should be reflected in our state’s laws. The court decided they knew better than lawmakers when the court’s majority said Wisconsin’s abortion statute 940.04 was ‘implicitly repealed.’ That is flawed and unconstitutional logic.”

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The 84th Assembly District includes Big Bend, Mukwonago, Muskego, Norway, Vernon, and Waterford.