



Written by [Dave Bohon](#) on February 17, 2018

ACLU Sues to Block Ohio's Down Syndrome Abortion Ban

The ACLU has filed a lawsuit to block legislation in Ohio that would ban abortions in cases in which a doctor has made a pre-natal diagnosis of Down syndrome on a pre-born baby. The law, signed by Republican Gov. John Kasich in December and slated to be implemented in March, would make it a felony for a physician to kill a pre-born baby based on a diagnosis of Down syndrome.



The ACLU suit, filed February 15, seeks an injunction to stop the law from going into effect. "Banning a woman from having an abortion because of a fetal diagnosis is not only unconstitutional, it also does absolutely nothing to address discrimination against people with disabilities," said Freda Levenson of the ACLU's Ohio franchise. She referred to Ohio's effort to protect the lives of innocent babies as "just a thinly-veiled attempt to criminalize abortion."

Addressing the lawsuit, Mike Gonidakis of Ohio Right to Life challenged the ACLU on its status as the supposed protector of civil liberties in America. "It is a shame that an organization that claims to be the very biggest and best at defending victims of discrimination completely disregards the most vulnerable members of our society who are being discriminated against," Gonidakis said in a statement.

Ohio is the third state to implement legislation aimed at protecting unborn babies diagnosed with Down syndrome, following North Dakota and Indiana. The Indiana law, passed in 2016, has been blocked by a federal judge, who sided with Planned Parenthood and the ACLU, ruling that the state may not limit a woman's reason for killing her pre-born baby. However, Indiana appealed the ruling and on February 15 the 7th Circuit Court of Appeals heard arguments in the case.

As reported by the [Indiana Lawyer](#), Indiana Solicitor General Thomas Fisher told the three-judge panel from the circuit court "that allowing 'discriminatory' abortions would risk the decimation of people with certain disabilities, such as Down syndrome. He pointed to previous Planned Parenthood testimony that at least 50 percent of women will terminate pregnancies for such reasons, a fact he said could lead to an American situation like that of Iceland, where fetuses diagnosed with Down syndrome are frequently aborted."

Last October the [Washington Free Beacon](#) reported on Frank Stephens, a man with Down syndrome who gave an emotional appeal before the House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, which was studying the state of medical research on Down syndrome.

Focusing on groups like Planned Parenthood and the ACLU which appear to have targeted Down



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syndrome pre-born babies for eradication, Stephens told committee members: “Whatever you learn today, please remember this: I am a man with Down syndrome and my life is worth living. I completely understand that the people pushing this particular ‘final solution’ are saying that people like me should not exist. That view is deeply prejudiced by an outdated idea of life with Down syndrome.”

Pointing out some of his own impressive accomplishments, which includes a successful film and television career, along with and speaking tours, Stephens said: “Seriously, I don’t feel I should have to justify my existence. Is there really no place for us in the world?”

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