



Written by [Raven Clabough](#) on May 16, 2018

Pro-Abortion Groups File Suit Against Iowa's "Fetal Heartbeat" Law

Pro-abortion advocates have filed a lawsuit to stop Iowa's new law that prohibits abortions after six weeks, at approximately the time a heartbeat may be detected. The ["fetal heartbeat" bill](#) is considered groundbreaking in that it could set a precedent that establishes heartbeat and not viability as the benchmark for legal abortions.



Iowa's law, which was signed by Governor Kim Reynolds earlier this month, bans abortions after a heartbeat is detected by an ultrasound, with exceptions for pregnancies resulting from rape or incest that have been reported to law enforcement within 45 days. The law also carves out an exception for life-threatening medical conditions, an incomplete miscarriage, and instances in which a physician certifies that the unborn child has an abnormality considered incompatible with life.

The law is set to go into effect on July 1, but not if the American Civil Liberties Union of Iowa, Planned Parenthood Federation of America, and the Emma Goldman Clinic of Iowa City have their way. The groups filed a lawsuit on Monday to stop the law from taking effect, the *Washington Times* reports.

"This abortion ban is beyond extreme," said Rita Bettis, legal director for the ACLU of Iowa. "With it, Iowa politicians have tried to ban virtually all abortions for women in our state." Bettis went so far as to call the law "cruel and reckless."

Francine Thompson, co-director of the Emma Goldman Clinic in Iowa City, claims six weeks is an unrealistic time period and begrudges the requirement that women report cases of rape or incest within 45 days in order to seek a legal abortion.

"The timing essentially makes it an almost-complete ban on abortions in our state. It's also important to note that the exceptions in the law are essentially non-exceptions. The requirement of reporting rape within 45 days, for example, is completely out of touch with the reality that survivors of those horrendous crimes live with," she said.

Just why 45 days to report a rape is an impractical expectation is unclear, however.

Iowa has been taking the lead in more ambitious pro-life legislation in recent years. Last year, a 72-hour waiting requirement for women seeking an abortion was passed, though it currently faces a challenge before the Iowa Supreme Court.



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In fact, Iowa's pro-life push has attracted the attention of the pro-abortion national research group, the Guttmacher Institute. "We haven't heard much out of Iowa until the past couple of years," said state policy analyst Elizabeth Nash of the Guttmacher Institute. "It has been a very striking shift in the state Legislature, and it really shows how important state Legislatures are to abortion access."

Iowa lawmakers have no qualms about declaring that they seek to undo *Roe v. Wade*, the notorious 1973 Supreme Court decision that critics tout as the ultimate example of judicial activism.

Senator Jake Chapman, (R-Adel), declared as the bill worked its way through the legislative process, "This law, if signed, I believe could very well be the very bill that overturns *Roe v. Wade*."

Supporters of Iowa's fetal heartbeat bill contend that advancements in science should force the legal time limit for abortions to change.

Representative Shannon Lundgren, (R-Dubuque) contends, "The science and technology have significantly advanced since 1973. It is time for the Supreme Court to weigh in on the issue of life. It has taken decades for the science to catch up to what many have believed all along: that she is a baby."

Governor Reynolds has already stated that she not only anticipated a challenge to the law, but was prepared to fight it. "This is bigger than just a law," she stated. "This is about life. And I'm not going to back down from who I am or what I believe in."

Iowa's Attorney General Tom Miller has taken a different stance, however. The AP reports that Miller stated the law "undermine[s] rights and protections for women."

Miller's position is in contrast with many Iowans, however, who have reacted positively to the new law, according to Governor Reynolds.

Those who sponsored the bill have said that their ultimate goal is to declare that life begins at conception, the *Des Moines Register* reports. When asked whether she would endorse such legislation, however, Governor Reynolds responded simply: "I signed a bill to protect life and that is the bill I signed."

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