



WISCONSIN CATHOLIC CONFERENCE

FOR IMMEDIATE RELEASE

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WCC DECRIES WISCONSIN SUPREME COURT RULING THAT STATE LEGISLATURE REPEALED ABORTION BAN

The Wisconsin Catholic Conference, the public policy voice of Wisconsin's bishops, decries the failure of the Wisconsin Supreme Court to protect the most vulnerable in its decision that Wisconsin Statute 940.04, the state's abortion ban, is unenforceable due to implied repeal. Today, in *Kaul v. Urmanski*, the Wisconsin Supreme Court decided that the legislation enacted in the last 50 years regulating abortion was meant as a substitute for 940.04, the longstanding statute which prohibits abortion except to save the life of the mother.

However, the Court's reasoning flies in the face of clear legislative intent not to repeal 940.04. The very laws the Court's 4-3 majority claims impliedly repeal 940.04 were only enacted in response to *Roe v. Wade* and *Planned Parenthood v. Casey*. Those U.S. Supreme Court decisions superseded 940.04 and rendered it unenforceable, until *Dobbs* returned the issue of abortion to the states in 2022. In the last 50 years since *Roe* and *Casey*, the legislature made clear on multiple occasions that it was not explicitly or impliedly repealing 940.04 through subsequent legislation. In fact, the legislature amended 940.04 in 2011, and it has been a key issue in every recent statewide election.

"It is nonsensical for the Court majority to pretend that Wisconsin's longstanding abortion ban was impliedly repealed by previous legislatures. For 175 years, everyone in the state, supporters and opponents alike, understood that 940.04 and its subsequent amendments reflected the legislature's intent that abortion should remain illegal. When *Dobbs* returned the issue of abortion to the states, even Planned Parenthood acknowledged 940.04 was enforceable and in effect," WCC Executive Director Barbara Sella responded.

"A civilized society," she continued, "does not sanction taking the lives of its own children. In 1849, Wisconsin banned abortion and in 1853 it abolished the death penalty. There is no other way to read this decision than that the Court's majority has abandoned Wisconsin's proud legacy of protecting all human life."

The Catholic Church will always uphold the value of every human life, from conception to natural death, and support public policies that embrace both women and their children. Despite this tragic ruling, the Catholic Church in Wisconsin will continue to assist mothers and fathers experiencing challenges during pregnancy and parenthood. If you or someone you know needs support, please reach out to a local parish or Catholic Charities, which can also connect you to a local pregnancy resource center.

Wisconsin can and must do so much better than enabling the killing of preborn children. Women and children deserve laws that will protect them both. We should all be empowered to care for our children and not encouraged to discard them as though people are throwaway objects. The Catholic Church will not cease in its efforts to ensure that every human life is protected and respected. The intrinsic value and dignity of a human person can never be taken away, even by a court decision that defies logic.

We must continue to defend life.

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