

ABORTION

Texas Now Faces a Confusing Patchwork of Anti-Abortion Laws

Frontera Fund, a South Texas abortion fund, was sending money to people who needed abortions until the early morning of the day *Roe v. Wade* fell.

By **Caitlin Cruz** | 6/28/22 10:46AM | Alerts



Dr. Alan Braid, right, informs patients inside the waiting room at Alamo Women's Reproductive Services in San Antonio, Texas, that he can no longer provide abortion services because the Supreme Court had just overturned *Roe v. Wade*.



Cathy felt it in her gut: This would be the last day before *Roe v. Wade* was overturned. The 26-year-old Texan lives in the Rio Grande Valley of southern Texas and works as the organizational manager for Frontera Fund, an abortion fund. It was late Thursday night. She didn't have anything to do but be at her computer.

The Supreme Court had unexpectedly added Friday as a decision day, "and I just felt it in my bones...that it was going to happen," she told Jezebel. "So because of that, I was like, you know what? I'm going to stay awake and on this line as late as I possibly can, because as long as this wasn't decided on, I'm going to fund abortions."

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Because of Cathy's work, Frontera Fund was distributing money to people who needed abortions until roughly eight hours before the Supreme Court issued its ruling in *Dobbs v. Jackson Women's Health Organization*.

"I helped someone at 10 p.m., helped someone at around 11 p.m., and I helped another person at 1 in the morning, just navigating what I could on explaining to them the situation at hand and why I'm calling them in the middle of the night," Cathy, who is going by her first name for privacy reasons, told Jezebel. "Just really telling people I am sending you what you need so you can get to where you need to go because I do not know, do not feel that we would be able to help tomorrow so this has to be done."

The court's decision plunged abortion access into chaos, given the patchwork of state laws governing it. In April, Oklahoma passed an [outright abortion ban](#) on top of its existing six-week ban; while [Michigan](#) still had a pre-*Roe* law outlawing abortion on the books. (Michigan's Democratic governor, Gretchen Whitmer, has filed a lawsuit to nullify the 1931 law.) Earlier this month, Iowa's state Supreme Court [rescinded its 2018 ruling](#) that abortion is a "fundamental right" in the state constitution, thereby opening the door to future legal challenges. On Monday, a federal court said [South Carolina's six-week ban](#) can go into effect immediately. (On Monday, there were also small spots of good news: In Utah and Louisiana, challenges to trigger laws [were successful](#), allowing abortion to momentarily continue in those states.)

In Texas, abortion seekers and providers have lived under the tyranny of Senate Bill 8 since September. Not only did the law ban abortions after six weeks of pregnancy, it allows private citizens to sue those they suspected of getting (or aiding someone getting) an abortion to the tune of a \$10,000 reward. Before S.B. 8, Frontera Fund spent roughly \$4,000 a year on travel for patients. After, that number jumped to up to \$16,000 *per month*.

Frontera Fund is among the dozens of Texas-based abortion-rights organizations that paused efforts after Friday's rulings. [Jane's Due Process](#)—a legal organization that helps teens seeking judicial bypass, a process that allows people under 18 to consent to abortion without parental involvement—announced suspension of all abortion-related services on Friday morning. Texas Equal Access Fund, an abortion fund based in Dallas, [stopped](#) funding on Friday, too.

The most heart-wrenching announcements were from the clinics that stopped care the minute the decision was uploaded. Amy Hagstrom Miller, founder and CEO of Whole Woman's Health, said staff called hundreds of patients Friday morning. Some [begged](#) to be kept on waiting lists. "The U.S. Supreme Court has turned its back on millions of people and families across the U.S. who need abortion care. We will never do that," she told reporters. "We will do everything we can to help obtain safe, timely, affordable care for those whose rights and access to safe and legal abortion services have been cruelly and unjustly revoked."

Planned Parenthood South Texas, Planned Parenthood of Greater Texas, and Planned Parenthood Gulf Coast all announced Friday they would pause abortion services at all locations, covering most of the state.

In Texas, there are three relevant laws prompting the stoppages. One, obviously, is S.B. 8. [Multiple lawsuits](#) have been filed against providers who announced their intent to defy that law last year.

Then, there's the state's trigger law, which bans pretty much all abortions. It's set to go into effect 30 days from Friday. But arguably, the most relevant law is the state's pre-*Roe* ban on abortion codified in 1925.

Because he cannot immediately prosecute people under the trigger ban, Texas Attorney General Ken Paxton has [already threatened providers](#) with criminal liability based on the 1925 statute. "Although these statutes were unenforceable while *Roe* was on the books, they are still Texas law. Under these pre-*Roe* statutes, abortion providers could be criminally liable for providing abortions starting today," Paxton wrote in an [advisory](#) on Friday.

On Tuesday, a state court judge will [hear arguments for a temporary restraining order](#) against prosecuting people who continue to provide abortions until the trigger ban goes into effect.

But until a legal victory or they choose to actively defy the laws, pro-abortion groups are stuck. "People who create this like, anti[-abortion] legislation make it vague and make it difficult to navigate," Cathy told Jezebel. "Right now, we're just protecting ourselves and anyone else and really trying to assess any criminal repercussions and legal threats that are now associated with assisting abortion access in Texas."

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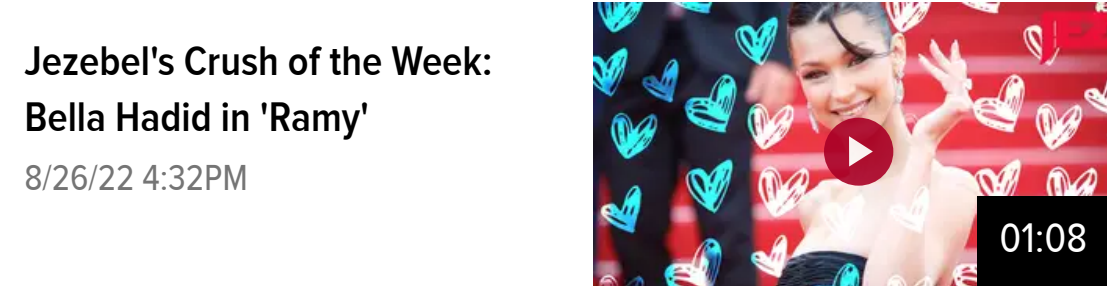
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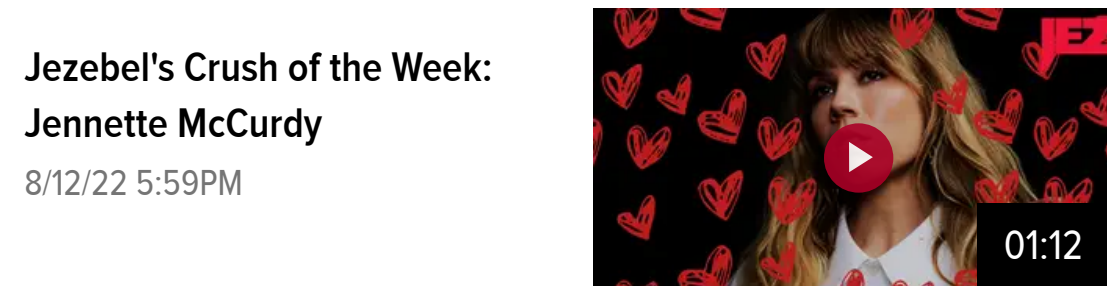
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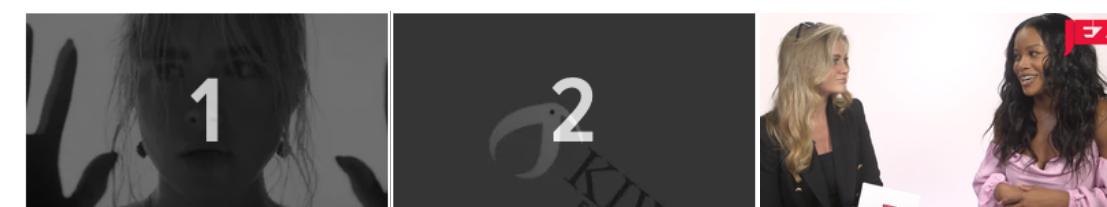
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