



“Purple” states can attempt to pass laws incrementally restricting and regulating abortions until they can realize political changes which allow them to prohibit all abortions. Family Policy Alliance, Americans United for Life and Alliance Defending Freedom have excellent model legislation that can be used by state legislators. The state Family Policy Council movement, along with state Catholic Conferences, have worked tirelessly for decades in state legislatures to see pro-life laws passed. Their work will become more critical than ever in a post-*Roe* world.

A handful of states have state constitutions with express privacy provisions or decisions, which grant a fundamental “state right” to abortion. These decisions must be carefully reviewed for potential human life amendments, judicial reinterpretation, or other strategic solutions. Otherwise, these states will be stuck with permanent state constitutional “abortion rights” for years to come.

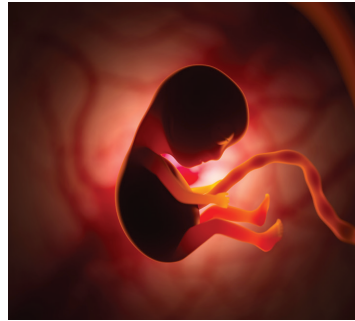
At the federal level, pro-life lawmakers should move quickly toward a constitutional recognition of the human right to life for every person, regardless of that person’s location inside or outside the womb. As scholar Josh

Craddock argues, federal lawmakers could also strip jurisdiction for federal judicial review on abortion-related laws and supplement enforcement of these laws with private rights of action that enhance victims’ rights.


Both state and federal lawmakers in a post-*Roe* world will need to immediately address the rapid increase in chemical abortions.

Chemical abortions lack proper medical oversight, are far easier to

obtain illegally, and carry significant risk for women. One study showed that emergency room visits following chemical abortions increased 500% between 2002 to 2015.



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Existing and new laws passed after *Roe* that ban or regulate abortions will need to be correctly enforced. This is an enormous challenge since district attorneys and local law enforcement agencies often turn a blind eye to violations of abortion law. While it has been very controversial, and even rejected by some pro-life leaders, the use of Texas' enforcement mechanism that creates an independent civil cause of action for money damages with attorney's fees provisions may be a way to deal with this enforcement problem in the future.

Beyond taking immediate steps to save as many lives as possible and enforcing those laws, state and federal policymakers must also envision laws that create an American legal landscape where human life is truly cherished. This means passing a swath of laws that recognize the equality of children inside and outside the womb, rerouting resources from funding abortions to supporting families, dramatically improving foster care and adoption options, and much more.

After *Roe*, it will be critical for legislators to be motivated and have the courage to take political risks without being concerned about the political ramifications of abolishing abortion. We need to speak of and think about abortion as we now look back upon slavery—a shameful and unthinkable practice in a modern, civilized society.