

## [Boom! Lawyered: How Georgia and Kansas Reveal the Future Battleground for Abortion Rights](#)

- Imani Gandy: Hello, fellow law nerds. Welcome to another episode of Boom! Lawyered, a Rewire.News podcast hosted by the legal journalism team that wants to push the Georgia Legislature out the window. I'm Imani Gandy.
- Jessica Pieklo: And I'm Jess Pieklo. Rewire.News is dedicated to bringing you the best reproductive rights and social justice news, commentary, and analysis on the Web. The Team Legal podcast is part of that mission, so a big thanks to our subscribers and a welcome to our new listeners.
- Imani Gandy: We here at Team Legal have talked a lot about these so-called heartbeat bans.
- Jessica Pieklo: Oh, so much.
- Imani Gandy: So much. These are bills that ban abortion after six weeks, which is before many folks even know that they're pregnant. We've written about it. We've podcasted about it. We've said, time and time again, that they are unconstitutional pre-viability abortion bans that are wildly unconstitutional. Did I mention that they're unconstitutional, Jess?
- Jessica Pieklo: So unconstitutional.
- Imani Gandy: Super unconstitutional. But for some reason, state legislatures aren't listening to us. They are continuing to ramp up their efforts to enact these near-total abortion bans ... which is what these fetal heartbeat bans actually are ... and Georgia is the latest to jump on the near-total abortion ban train, with one of the most strict bans passed by any state so far.
- Jessica Pieklo: In some cases, it's been up to state courts to come in and signing these legislative efforts and block these laws. That's what we're going to talk about today.
- In this episode, we're going to walk you through this whole Georgia nonsense, and then explain how states like Kansas can offer a roadmap for protecting abortion rights.
- Imani Gandy: Wait, wait. Did you say Kansas? As in Ground Zero for Operation Rescue? Kansas?
- Jessica Pieklo: Mm-hmm (affirmative).
- Imani Gandy: Are we talking about Summer of Mercy Kansas? Are we talking about where Dr. George Tiller was murdered Kansas?

Jessica Pieklo: I did. In a landmark decision that is so good, it's worth drawing a bubble bath and reading it in the tub with a nice rosé, the Kansas Supreme Court found a fundamental right ... a fundamental right ... to abortion in its state Constitution.

Then, spent 200 pages explaining why abortion is a fundamental right, including this long discussion about how abortion isn't just a constitutional right. Imani, it's a natural right.

Imani Gandy: Wait, are you still talking about Kansas?

Jessica Pieklo: I am, I am, right? It's just so good. In this episode, we're going to talk about Georgia, we're going to talk about Kansas, and how recent events in both these states suggest that the future of abortion rights could actually be determined by your state constitution.

Imani Gandy: Fuckin' Kansas, man ...

[music]

Jessica Pieklo: All right, Imani, let's start with Georgia. What happened in Georgia ... this Living Infants Fairness and Equality Act? What? What? Really?

Imani Gandy: Yeah, the illegitimate governor of Georgia, Brian Kemp, signed into law-

Jessica Pieklo: Illegitimate governor.

Imani Gandy: He's fuckin' illegitimate. That's just real talk, guys. Stacey Abrams belongs in that office.

At any rate, Brian Kemp signed into law a bill called the Living Infants Fairness and Equality, or LIFE Act.

Jessica Pieklo: The LIFE Act. I mean, the Georgia Legislature can't get its act together to have some sort of anti-discrimination statute at the state level. But we've got the LIFE Act now. Really. Good job, folks.

Imani Gandy: Yeah, you got to love those forced names that legislators concoct, just so the bill will have a super-sweet acronym like LIFE.

Jessica Pieklo: Good grief.

Imani Gandy: Oy vey. Anyway, let's just recap what's going on with this bill. The bill bans abortion as soon as a fetal heartbeat is detected ... which again, can be as early as six weeks, before you even know you're pregnant. That's just like missing your period for two weeks.

Jessica Pieklo: I'm just going to jump in and say, fetal heartbeat is really, we're talking fetal cardiac pole activity here.

Imani Gandy: Right.

Jessica Pieklo: "Heartbeat" is a total misnomer. But we've got to work with the crap they gave us for here. So. C'est la vie.

Imani Gandy: The bill also recognizes fetuses as natural persons who qualify for state income tax deductions-

Jessica Pieklo: Oh my God.

Imani Gandy: ... and recognizes them as natural persons for state population-based determinations. Meaning, it recognizes unborn-

Jessica Pieklo: What?

Imani Gandy: ... quote-unquote unborn children for purposes of the fucking census. Good grief.

Jessica Pieklo: Okay. But we're not done. What else are we going to do?

Imani Gandy: No, we're not done. The bill amends state law to define, quote, natural person, to mean, quote, any human being including an unborn child. Argh.

Really, I want to talk more about this whole tax code thing. You can now claim your unborn quote-unquote, unborn child, an embryo, in your womb, as a dependent. As a dependent, for purposes of filing your goddamn taxes!

Jessica Pieklo: That's wild!

Imani Gandy: Here's the kicker. It's not in the current version of the bill. But in an earlier version of this bill, they straight-up said that fetuses are viable at six weeks. Now, even though an embryo, which is what this little thing that's in your womb is called when it's six weeks ... it's called an embryo. An embryo cannot survive outside the womb at six weeks. So it is therefore, ipso facto, absolutely straight-up not viable.

Jessica Pieklo: Ipso facto straight-up bullshit, is what this is! You can't just swap out legal standards because you've got a hair up your ass to go after abortion rights.

Imani Gandy: Oh, God.

Jessica Pieklo: They don't call us the Cassandra of the Courts for nothing. Imani, we have been saying that the right has been going after this ... they've been coming at viability

in various ways. In particular, they were going to do it in the most slipperiest, sort of tugging at the emotions way possible. And here we are.

Imani Gandy: Here we are. But wait! There's more.

Jessica Pieklo: No.

Imani Gandy: Yeah.

Jessica Pieklo: I thought we were done with this shit.

Imani Gandy: Shut it down. See you on the tubes.

Jessica Pieklo: No.

Imani Gandy: No, but this bill has unintended, or if you're cynical like I am, entirely intended consequences for pregnant people. And people who plan to assist pregnant people in obtaining abortion.

Mark Joseph Stern over at Slate has a really really good piece that analyzes the consequences that flow from this bill. These consequences include ... one of my favorites ... that the fact that there's no due process for fetuses, embryos, blastocysts, that are in the wombs of incarcerated people.

Let's imagine a pregnant person who's in jail. They're pregnant, the thing/embryo/blastocyst/egg or whatever inside of them is now a person, for purposes of Georgia law. Which means that they have been unlawfully seized and imprisoned without due process. It's a Fourth Amendment violation!

Jessica Pieklo: I cannot wait for the number of attorneys who are going to line up to start filing habeas petitions to remove that embryo from that detention.

Imani Gandy: Free the embryos! These embryos are being unlawfully detained!

Jessica Pieklo: If we are ever going to get conservatives on a prison abolition mission, this is it.

Imani Gandy: Right. This is absolutely it.

Jessica Pieklo: This is it.

Imani Gandy: That's one of my favorite bits. But there are other parts that are more likely consequences that are going to flow from this bill.

For example, once HB481 takes effect ... if it ever does ... a pregnant person who terminates their own pregnancy with a drug that's available on the Internet, for example, will have as a matter of law, killed a human under this new definition of human ... thereby committing murder.

Now, under Georgia law, the punishment for that crime is life imprisonment. Or death.

Jessica Pieklo: Jesus.

Imani Gandy: We're now saying that pregnant people may be punishable by death, if they end their own pregnancies. And it's even worse!

Let's say a pregnant person miscarries, and that miscarriage is somehow due to their own behavior, like they have a drug dependency or an alcohol dependency. That pregnant person would be liable for second-degree murder. And that charge is punishable by 10 to 30 years imprisonment.

And there's something else that's really interesting that Stern argues. He says that even if pregnant people want to leave the state to obtain an abortion, they'd be just as liable for punishment in the state of Georgia.

So if a pregnant person leaves Georgia, and travels to another state like Alabama, which is well known for having multiple abortion clinics all over the state-

Jessica Pieklo: Absolutely.

Imani Gandy: ... just waiting with open arms to welcome pregnant people.

Jessica Pieklo: And no intent to try and prosecute pregnant people at all.

Imani Gandy: None at all! Alabama never does that.

Jessica Pieklo: No.

Imani Gandy: Let's say a person in Georgia goes to Alabama for an abortion. They could be charged with conspiracy to commit murder, which can lead to 10 years imprisonment.

And, if you're a person who's trying to help a friend obtain an abortion ... Let's say you drive someone over a state line to get an abortion ... you might also be charged with conspiracy. So that's real fun.

Jessica Pieklo: Oh my God. These things are terrible. They are terrible. And we're not done. There's even more.

To hone in on the fight, and just how intent Georgia is on having it, the bill does something that I think is really interesting/horrible, that I think our fellow Law Nerds are going to appreciate and latch onto ... and is also something that I see opening up some new paths in the fight over abortion rights in the courts.

The law has this preamble; it's introductory language that says what its mission is and the power that the legislature has to pass it. And the law starts by invoking the Georgia state Constitution. And state constitutional guarantees that quote-unquote all men are created equal, and guaranteed life, liberty, and due process. Right?

The bill then immediately pivots to the section that says, "Modern medicine has advanced from the time of Roe v Wade and Planned Parenthood versus Casey to the point where the Georgia Legislature is now within its power, under its own state Constitution, to provide full legal recognition to quote unborn children," which as you said, it defines as any state of human development.

Imani Gandy: So, this is basically a personhood situation, right?

Jessica Pieklo: Yeah.

Imani Gandy: We've got a personhood situation brewing in Georgia-

Jessica Pieklo: Got a personhood situation. Woop-woop. We've got a personhood situation brewing in Georgia. Over and out.

Imani Gandy: But seriously. Can states use their own constitution to declare that under state law, a fetus is a person, independent of what federal law says? And federal law says ... right now, anyway ... that a fetus is not a person. Right?

Jessica Pieklo: Right.

Imani Gandy: Because Georgia is framing this law as the state providing benefits that are above the minimum required under federal law.

Jessica Pieklo: Right. It's this huge federalism fight that's brewing. In the abortion wars context, this is ... we danced around this ... but here we have Georgia actually saying, "We have the power as a state within our own Constitution to declare a fetus, an embryo, life at conception, and then legislate and also prosecute accordingly." This is super-

Imani Gandy: This is messed up. Can I just say again ... I know I said this up front ... but how infuriated I am that Brian Kemp cheated his way into office?

Jessica Pieklo: Yeah.

Imani Gandy: Because if Stacey Abrams were governor right now, she would have never signed this shit. She never would have signed this shit.

Jessica Pieklo: I mean, the legislature was going to do what the legislature was going to do. But, Abrams wasn't going to sign it.

Imani Gandy: She wouldn't have signed it. But ...

Jessica Pieklo: Yeah.

Imani Gandy: We are where we are. So my question for you is, what happens when this law makes it to court?

Jessica Pieklo: We have, as you have pointed out time and time again, said that these types of restrictions are patently unconstitutional. They're ridiculously unconstitutional. They are I-am-out-of-adverbs unconstitutional.

Imani Gandy: Wildly, crazily ...

Jessica Pieklo: I know. All of it. All of it.

Imani Gandy: Truly, madly, and deeply ...

Jessica Pieklo: Truly, madly, deeply unconstitutional. There is every reason to think that this one gets blocked as unconstitutional as well. Courts, you just can't go in and say, "Hey, we're going to swap out legal viability and 40 years of precedent, and get you to bite on something like fetal heartbeats," which aren't even a thing.

The judicial institution has to work some. This is the 11th Circuit, which is no fan of abortion rights, but even they haven't taken the bait yet. Most recently, they had the Alabama D and E ban, which they basically shook their fist at the sky through the entire opinion about how they had to strike the D and E ban as unconstitutional. But they still did it. So this federal court still have done it.

We, though, have a whole bunch of terrible Trump judges who have sworn to overturn Roe versus Wade in the federal courts. I want to have faith in that institution. But what is a given isn't really a given anymore. I think, sadly.

Imani Gandy: Yeah. Sadly, because the federal judiciary is totally screwed.

Jessica Pieklo: Yeah.

Imani Gandy: I've been talking about that a lot as well. But I do want to remind everyone ... I've seen a lot of misinformation floating about in the ether on Twitter. That abortion is banned in Georgia.

The law is not in effect right now. The law is not slated to go into effect until January 1st, 2020. There are no six-week bans in effect anywhere in the country, even though states are trying like hell trying to get them passed, and to get them to be upheld.

Right now, no six-week bans are applicable or operational in any state, anywhere.

Jessica Pieklo: Mm-hmm (affirmative). And we've got this fight in the federal courts brewing over the extent of federal power, which is why this conversation on the scope of state power, and how it cuts in abortion rights, is one that I think we need to be paying close attention to.

Also, what makes what happened in Kansas, I think, so thrilling, and what we're going to talk about next.

Imani Gandy: Jess ... What a world we are living in, when we're talking about Kansas being a beacon for abortion rights. But here we are. Kansas-

Jessica Pieklo: Here we are ...

Imani Gandy: ... is a frickin' beacon for abortion rights! It's amazing.

Jessica Pieklo: Here we are! Here we are, Kansas. Oh my goodness. Let's talk about this decision.

It took the court two years. The Kansas Supreme Court sat on this case for two years. And finally ruled that abortion is a fundamental right in Kansas, subject to strict constitutional scrutiny. I know that makes your heart pitter patter, Imani.

Imani Gandy: Woo! I love me some strict scrutiny.

Jessica Pieklo: And it declared the undue burden standard from Planned Parenthood versus Casey unworkable, and fundamentally disrespectful to the fundamental right of reproductive autonomy. Let's just all sit and bask in the glow of that language from the courts.

Imani Gandy: I mean, slap my ass and call me Susie. You know what I mean? The idea that there are like, "you know what, court? Casey was sweet and all. But it's kind of unworkable. It's disrespectful to pregnant people. And we got a better plan. We're going to sit up here, we're going to talk about John Locke, and we're going to talk about natural rights."

And it's amazing. So Jess, please, please. Fill my heart more with this Kansas love.

Jessica Pieklo: Okay. The decision came in a challenge to Kansas's D and E ban. That's their ban on later abortion. Kansas was way ahead of the pack in this, and the first to pass one of these bills in the country. Way back in 2015.

Anyway, the Kansas Supreme Court decision means the D and E ban will stay blocked while the trial challenging it finally gets underway. In the meantime, though, the state of Kansas is going to have to prove that that ban, and any of their other abortion restrictions challenge, meets a higher constitutional

standard than the undue burden test in Casey. That is, to use a legal term, of are a big fucking deal.

Imani Gandy: Woo! I mean, that sounds fucking phenomenal. I mean, strict scrutiny? I love me some strict scrutiny. I really do. And let me just tell you what strict scrutiny is, since the thing that I love so much deeply in my heart.

Strict scrutiny means that a law will not be constitutional, or will not stand, unless the law promotes a compelling government interest, and it is narrowly tailored to achieve that interest.

Now, strict scrutiny is sort of a higher level of scrutiny than intermediate scrutiny, which is a higher level of scrutiny than rational basis. And rational basis is basically just like, "Eh, fuck it, whatever." Intermediate is like, "Well, it's got to have a substantial interest and be tailored to that substantial interest."

But strict scrutiny means, "You better have a good goddamn reason to be passing this law. And it better be narrowly tailored to achieve that interest, to achieve the reason that you're saying you're passing this law."

Jessica Pieklo: Yeah, the government rarely wins in a strict scrutiny test.

Imani Gandy: Rarely.

Jessica Pieklo: That is super exciting.

Imani Gandy: Yes.

Jessica Pieklo: And how the Kansas Supreme Court got to its decision that abortion is a fundamental right, is also really amazing, isn't it?

Imani Gandy: Yeah. It really is. Let's talk a little bit about the Kansas Constitution. Section 1 of the Kansas Constitution says, "All men are possessed of equal and inalienable natural rights among which are those of life, liberty, and the pursuit of happiness."

Now, I'm sure the first thing that you're thinking ... and one of the things that the state seemingly argued is that, "Well, this applies to men. It says all men are possessed of equal and inalienable natural rights. It doesn't say anything about women."

Well, the court actually addressed that, and actually analyzed abortion through a gender bias lens, and talked about how back in the day, women weren't considered full people, they didn't have all these rights.

Marital rape existed and women couldn't have their own bank accounts, and women weren't even allowed to participate in the constitutional convention at

Wyandotte, during which this actual constitution was formulated and developed?

I mean, the court said that Section 1 guarantees women, as well as men, the right of personal autonomy. It's really amazing. The court said specifically, quote: True equality of opportunity in the full range of human endeavor is a Kansas constitutional value. And it cannot be met if the ability to seize and maximize opportunity is tethered to prejudices from two centuries ago." Woo!

Jessica Pieklo: Like rock, chalk, Jayhawk! I don't know. That's crazy.

This decision was so amazing. One of the things that jumps out to me is that the court is invoking what is essentially parallel language that we just talked about Georgia having, to ground its power to legislate on behalf of zygotes. It's wild to me. We are in the upside-down, and it's Kansas.

Imani Gandy: Yeah. The fact that Kansas grounded abortion rights in natural law? Is a huge deal. Reading page after page after page of philosophy and John Locke and how it is natural rights were formulated, and what it means from a moral perspective. And how it is that state government can't infringe on natural rights, because they are basically ... essentially God-given rights.

The Kansas court essentially said, "You have a God-given right to an abortion."

Jessica Pieklo: That's exactly what it is. It's huge! And I love it because it gives me an opportunity to talk about natural law, which is ancillary to getting to talk about administrative law.

I love it ... because it's so nerdy. But so important. And one of those things that informs the political conversations around the law. People are talking about it, and they don't know what they're talking about it. So let's give 'em a little bit of context.

You mentioned that natural law is this philosophy, and this idea that there are some rights that are quote-unquote natural or God-given. That's different than a school of thought who sees the government as the source of rights.

In U.S. legal history, the natural law is also linked really specifically to St. Thomas Aquinas, and so it's got this super-theological space. Which is like, oh my gosh, in American legal tradition, we can do five podcasts on that.

Not surprisingly, a lot of natural law arguments have historically been crafted and used to protect white male property owners. Basically boiled down to its Intro 101 essence ... I like to think of natural law as that introduction to American libertarianism, that sort of sounds good. Of course, you have rights from God that the government can't take away.

But in practice, when you're talking about who gets those rights granted from God, that's always really inured to the benefit of white male property owners; and the United States adds this extra sprinkling of Jesus in that.

Natural law proponents on the Court include Neil Gorsuch and Clarence Thomas. So it's not like this is necessarily way outside the mainstream, either.

Something that is super interesting also, the idea that natural law has this connection to this divine code. To me, in the Constitution, means I don't think Thomas and Gorsuch read natural law and abortion rights in the same sentence.

Imani Gandy: You think?

Jessica Pieklo: Like the idea that they're going to say, "God gave you a right to an abortion," I think made some heads explode.

Imani Gandy: Yeah, I'm sure it did. The fact that the Kansas Supreme Court said that reproductive autonomy is a part of a natural law framework, is earth-shattering-

Jessica Pieklo: It really is.

Imani Gandy: ... in terms of legal news. What it boils down to is, Kansas protects abortion higher than the U.S. Constitution does right now.

Jessica Pieklo: They do.

Imani Gandy: The Supreme Court of the United States can't overturn this decision. It has no jurisdiction to mess around with what Kansas wants to do with its own constitution. They just get to sit around and be mad about it. And they can fucking stay made about it, as far as I'm concerned.

Jessica Pieklo: So mad. Stay mad, Neil. Stay mad.

Imani Gandy: Right.

Jessica Pieklo: Oh, but that's why the fight over Roe v Wade could end up really being a fight over state constitutions.

Because on the one hand, like we said, we have states like Georgia declaring a state right to offer greater legal protections for fetal life, under state law. Or Mississippi, where state lawmakers are trying similar arguments in defense of all the abortion restrictions that they've passed, and trying to swap out viability standards there.

We've got one camp that is really staking out a state constitutional right to attack abortion rights as forcefully as they possibly can.

Imani Gandy: Right, and then on the other hand, we have states that have read their constitutions to protect abortion access to some degree. Rather than declaring greater legal protections for fetal life, they're declaring greater legal protections for pregnant people.

There are state Supreme Courts in 13 states that have said, specifically, that their state constitution independently protect decisions regarding pregnancy from unjustifiable government interference. I'm going to list you those 13 states. Listen, if you live in any of these 13 states ... I don't know, high-five yourself or something.

We've got Iowa, Minnesota, North Dakota, Alaska, Florida, West Virginia? Oklahoma? Montana, California, obviously. Massachusetts, pretty obviously. New Jersey ... I don't know what the fuck's going on in New Jersey, and I'm practically from there ... Ohio, which you know, good God ... and Tennessee.

Now, it's important to note that even though the Tennessee state Supreme Court said that there was a right to abortion in their constitution, voters in 2014 basically superseded that by passing Amendment 1, which basically enacted fetal personhood in Tennessee.

But, still ... I mean, that's a huge deal. That's 13 states that have said, "You know what? Bring on the abortion, bitches." I mean, they didn't actually say that.

Jessica Pieklo: I'm going to put that on a T-shirt. For sure. Oh, "Bring on the abortion comma bitches," or, "Bring on the abortion bitches"? I guess it works either way.

Imani Gandy: It could be both. God, I love humor.

Jessica Pieklo: That is amazing. Okay. State Supreme Courts in three states have also implied that their constitutions provide this protection also, which is huge. Because we are talking about Missouri, okay? That's big, Missouri. New York, which, you're okay for right now, but hey. Anything's possible. Don't take anything for granted.

And Utah. So in three states, there are state Supreme Court decisions that suggest an inkling to protect abortion rights at a level greater than the federal.

Imani Gandy: And there's only one appellate court to address this issue, and find that their state constitution does not provide protection.

Jessica Pieklo: Boo ...

Imani Gandy: And that's an intermediate appellate court in Michigan. So it's not the state Supreme Court, it's just a court of appeals in Michigan. And they said, "Nope, we don't have such a right." So screw you, Michigan. I mean, you're fine, Michigan. But screw you.

Jessica Pieklo: Right. We'll work on your judges, I guess.

Imani Gandy: Right. Exactly.

Jessica Pieklo: But that's really important because that means that there are states like North Dakota and Ohio, which you mentioned, Imani, where the federal courts have grown as conservative now as state lawmakers, thanks to a lot of Trump appointments. So it will be increasingly up to state courts, then, to protect abortion rights.

Really, the battleground is starting to shift. Which, I guess, leads to the question of, what's next? What happens next?

Imani Gandy: Well, states are going to try to amend their constitutions to ban abortion by inserting personhood language.

Jessica Pieklo: Yeah.

Imani Gandy: Kansas introduced a resolution called HCR 5004 back in January of this year, before the Supreme Court issued its ruling in Kansas. As I said earlier, Tennessee superseded its ruling that the constitution protected the right to abortion with Amendment 1, which voters approved in November 2014. That amendment read ... and I would imagine a lot of amendments in other states will read similarly ...

It read, "Nothing in this Constitution secures or protects a right to abortion or requires the funding of an abortion. The people retain the right through their elected state representatives and state senators to enact, amend, or repeal statutes regarding abortion, including but not limited to circumstances of pregnancy resulting from rape or incest, or when necessary to save the life of the mother."

So we're going to see a lot more efforts like this to basically strip abortion rights from the constitution.

Jessica Pieklo: And I think we'll see states that have partisan judicial elections, we'll likely see an influx of outside money. We're going to see groups like the Judicial Crisis Network and the Republican State Leadership Committee ... They're pouring money into state court elections to ensure that conservatives on the bench uphold laws and policy that reflect their conservative agenda.

I mean, this absolutely has to do with abortion rights. But we're going to see this in terms of other areas like voter I.D. and gerrymandering. Issues that get tried in state constitutional venues as well. Local elections matter, and voting for judges in local elections matter, too.

Imani Gandy: It really does. I know a lot of people don't think about voting for judges. And in a lot of states, you don't actually vote for your judges. So it's important to figure out whether or not you live in a state where you can influence these sorts of issues by voting for judges that will uphold these sorts of civil rights. That will uphold these natural rights. Look into that, pay attention to that.

Then also, one thing you can do? Support your local abortion clinics-

Jessica Pieklo: Always.

Imani Gandy: ... and support local abortion funds. They're the front line when it comes to providing funds for low-income people and other otherwise marginalized people who can't afford these services.

Jessica Pieklo: And while we have this time where the courts and state legislatures are figuring out and fighting over the boundaries of those rights, it is the clinics and the funds that are there, making sure that the people who need access to services get them. That is absolutely always a good thing to do.

A little bit of mixed news, I guess, right, Imani?

Imani Gandy: Yeah.

Jessica Pieklo: Things are terrible, but maybe there's some hope.

Imani Gandy: Yeah, and honestly, 200 pages sounds like a lot. But I'm telling you, if you have the inclination whatsoever, just grab a copy of that Kansas decision and read it. Because it will make you feel better, and it will give you arguments that you can use when you're talking to anti-choicers about this issue.

Jessica Pieklo: Bounce over to the Facebook group. We'll happily talk to you about it.

Imani Gandy: We'll talk till we're blue in the face. And that's going to wrap it up for us today. Mixed news, as Jessica said. If you want to continue this conversation, or just yell about Kansas being, "Oh my God, Kansas!," you can follow me on Twitter @AngryBlackLady.

You can follow Jess on Twitter @hegemommy. H-E-G-E-M-O-M-M-Y. And you can follow Rewire.News @Rewire\_News. You can, and you should, join our Facebook group. Just go to Facebook, look up Boom! Lawyered, answer the question, and we'll let you right in.

Jessica Pieklo: Answer the question.

Imani Gandy: And aside from that, we'll see you on the tubes! Go Jayhawks! See you on the tubes.

Jessica Pieklo:

Go Jayhawks ...

Boom! Lawyered is created by Jessica Mason Pieklo and Imani Gandy. This episode was produced by Marc Faletti, who is also our executive producer. The Rewire.News editor-in-chief is Jodi Jacobson.