

# The Jerome Lejeune Foundation USA

May 13, 2021

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## **Nation's Foremost Group Supporting Individuals With Down Syndrome Urges US Supreme Court to Uphold Constitutionality of Arkansas Law Protecting Unborn Children With Down Syndrome**

**RESTON, VA** — The Jerome Lejeune Foundation USA, America's foremost organization dedicated to supporting individuals with Down syndrome through research, care, and advocacy, today called on the US Supreme Court to uphold the constitutionality of an Arkansas anti-eugenics law that bans the abortion of unborn children solely on the basis that the child has Down syndrome. In an amicus brief filed today by the Alliance Defending Freedom on behalf of the Jerome Lejeune Foundation USA, the organization has asked the nation's highest court to accept an appeal by the state of Arkansas of an 8<sup>th</sup> Circuit ruling that invalidated Act 619 and two other pro-life laws passed overwhelmingly by the Arkansas Legislature. The Jerome Lejeune Foundation USA is represented in the filing by Alliance Defending Freedom, a nonprofit legal advocacy group.

"Allowing the killing of an unborn child merely because she or he has Down syndrome is discrimination at its worst. It's a relic of eugenics, where certain people deemed to be 'undesirable' – the poor, including racial minorities, prisoners, and those with mental health issues – are prevented from being born or discouraged from procreating through sterilization, abortion, and other practices," said Keith Mason, Executive Director of JLF USA. "The result of such practices is that the unborn with Down syndrome have paid an extraordinarily unjust price, with over 67% of pregnancies in the United States that receive a Down syndrome diagnosis being aborted. We urge the US Supreme Court to allow Arkansas and other states to protect the lives of these innocent human beings."

In 2019, some three-fourths of Arkansas legislators voted in favor of a package of laws to reduce the incidence of abortion in the state. SB 2 (now Act 619) – the "Down Syndrome Discrimination By Abortion Prohibition Act" – was one of the laws that was passed. The legislation specifically includes exceptions for the health and life of the mother, or if the pregnancy is the result of rape or incest. Other measures that were enacted included a prohibition on abortion when the unborn child is older than 18 weeks gestation (Act 493) and a requirement that only licensed physicians who are board-certified in obstetrics and gynecology may perform abortions in the state (Act 700). In January 2021, the 8<sup>th</sup> Circuit Court of Appeals upheld a lower court ruling invalidating all three laws. The state of Arkansas is now appealing to the US Supreme Court.

David Lejeune, President of JLF USA, remarked, "The Jerome Lejeune Foundation believes that no society that values life and human dignity should pursue elimination of those with Down syndrome. Every human life is valuable and worthy of protection — both women and their unborn children. To deny human rights to unborn children with Down syndrome is an ugly remnant of eugenics, and states like Arkansas that value all human life should be able to prevent it."

The case is *Little Rock Family Planning Services v. Rutledge*.

*The Jerome Lejeune Foundation carries on the legacy of Dr. Jerome Lejeune, who discovered the cause of Down syndrome. Its work focuses on three core pillars of activities: care, scientific research, and advocacy for individuals with Down syndrome and other intellectual disabilities of genetic origin. The foundation recently opened a medical center for individuals with Down syndrome in Denver, Colorado. It currently serves a select group of families in a pediatric pilot program, with plans to expand services soon. To learn more visit: [lejeunefoundation.org](http://lejeunefoundation.org).*

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***To schedule an interview with Keith Mason or David Lejeune, contact Joseph Giganti at 703-881-9160 or email [media@lejeunefoundation.org](mailto:media@lejeunefoundation.org).***