

# Michigan

## Shield Law Fact Sheet

AUGUST 2024

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Through an executive order and directive, Michigan provides limited shield law protections, barring only state agency assistance and extradition of individuals related to out-of-state investigations and prosecutions involving reproductive health care. Currently, Michigan does not provide similar protections for gender-affirming care.

### **PROTECTION AGAINST OUT-OF-STATE INVESTIGATIONS AND PROSECUTIONS**

#### **Protection Barring State Agency/Employee Assistance**

An Executive Directive issued in May 2022 directs state agencies not to cooperate with or assist the authorities of any state in any investigation or proceeding against an individual for obtaining or providing, or assisting another to obtain or provide, any reproductive health care that is lawful where the care was provided.<sup>1</sup>

#### **Protection against Extradition and Arrests**

An Executive Order issued in July 2022 provides that the Governor will decline to extradite a person when the charged criminal conduct involves the provision of, receipt of, securing of, or assistance with reproductive health care services, including abortion, unless the person was physically present in the state requesting extradition when committing the alleged offense and fled from that state.<sup>2</sup>

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<sup>1</sup> Mich. Exec. Directive No. 2022-5 (May 25, 2022), available at: <https://www.michigan.gov/whitmer/-/media/Project/Websites/Whitmer/Documents/Exec-Directives/ED-20225-Reproductive-Rights-in-Michigan-with-signature.pdf>.

<sup>2</sup> Mich. Exec. Order No. 2022-4, Unavailability of Interstate Extradition (Jul. 13, 2022), available at: <https://www.michigan.gov/whitmer/-/media/Project/Websites/Whitmer/Documents/Exec-Orders/EO-20224--Interstate-Extradition-final-signed.pdf>.

## ABOUT THE CENTER ON REPRODUCTIVE HEALTH, LAW, AND POLICY (CRHLP)

CRHLP is a nationwide think tank and research center created to meet the current national crisis in access to abortion while working towards long-term solutions to advance reproductive justice. CRHLP conducts analysis and research for legal, policy, and narrative change and serves as a trusted hub for convening and engaging academics, advocates, health care providers, policy makers, and community members to reimagine the landscape of reproductive health law and policy. CRHLP also trains the reproductive law and policy leaders of tomorrow. CRHLP is committed to the highest standards of independent inquiry, academic excellence, and rigor. Research findings and conclusions are never altered to accommodate other interests, including those of funders, other organizations, or government bodies and officials.

### For more information

[law.ucla.edu/academics/centers/center-reproductive-health-law-and-policy](http://law.ucla.edu/academics/centers/center-reproductive-health-law-and-policy)

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To receive pro bono legal assistance on questions related to the shield laws or other reproductive rights or justice issues, email: [larj@law.ucla.edu](mailto:larj@law.ucla.edu)