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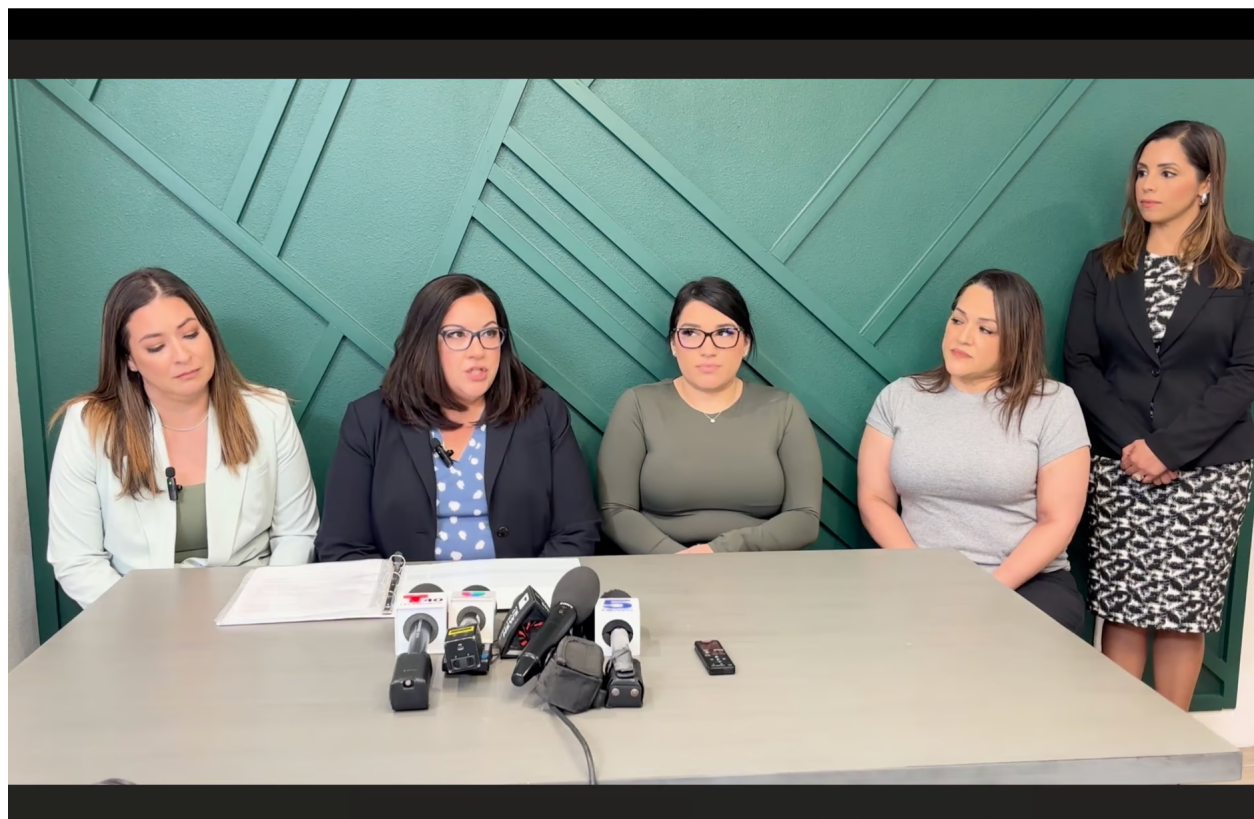
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# Texas woman sues Starr County, DA for \$1M after being charged with murder for an abortion

*Lizelle Gonzalez "made a deeply personal and difficult decision" to have an abortion — but she didn't commit a crime, her attorneys said Tuesday.*

[CAMERON THOMPSON](#) / April 2, 2024



Attorneys Veronica Martinez and Cecilia Garza (left and center left) speak at a press conference with their client Lizelle Gonzalez (center). Gonzalez sued Starr County, Texas, after she was arrested for performing a legal self-induced abortion in 2022. (Screenshot via Courthouse News)

STARR COUNTY, Texas (CN) — Two years after her nationally publicized arrest for murder following an abortion, Lizelle Gonzalez is firing back with a lawsuit against Starr County and the officials who brought the now-dropped charges

against her.

Gonzalez delivered a stillborn child via cesarean section in January 2022 after she was hospitalized for an attempted abortion. Two months later, the Starr County District Attorney charged her with murder — even though Texas’s murder statute specifically exempts the mother in the death of an unborn child.

After county sheriffs arrested her, Gonzalez spent three days in jail before being released on bond, according to her [lawsuit](#).

Now, she wants to hold officials accountable for civil rights violations.

“Ms. Gonzalez was targeted, she was prosecuted, and she was persecuted by the District Attorney of Starr County, his assistant, and the County of Starr,” Gonzalez’s attorney Cecilia Garza said during a press conference Tuesday.

“We don’t know whether it was for personal reasons or political reasons, but their actions cannot be characterized, and will not be characterized, simply as mistakes.”

Last month, after an investigation into his conduct surrounding this case, the State Bar of Texas [suspended Starr County District Attorney Gocha Allen Ramirez](#) from practicing law for one year and fined him \$1,250. The Texas Bar found he had allowed assistant district attorneys to prosecute Gonzalez for “acts clearly not criminal” under Texas law. His suspension began on Monday.

Gonzalez filed her federal lawsuit on March 28 against Ramirez, assistant DA Alexandria Lynn Barrera and Starr County, claiming false arrest and violations of the U.S. Constitution.

Although the prosecutors [dropped the charges](#) less than a week after her arrest, the story pushed Gonzalez — who was 26 years old at the time, with no criminal history — into the national spotlight two months before the Supreme Court’s controversial *Dobbs* decision.

Her attorneys of the firm Garza Martinez, however, sought to distance Gonzalez’s suit from the national conversation about access to abortion.

“The legal basis of Ms. Gonzalez’s lawsuit is not her reproductive rights. The legal basis of this lawsuit is the unconstitutional violation of her basic civil rights when she was arrested and charged with a crime that does not exist in the state of Texas,” Garza said on Tuesday.

“Lizelle Gonzalez made a deeply personal and difficult decision regarding her pregnancy. While there is great debate about where Ms. Gonzalez should or should not be able to make that decision, there is absolutely no debate that her decision did not violate the laws of the state of Texas and her conduct was not criminal.”

Gonzalez seeks more than \$1 million in damages for her claims, including violations of her Fourth and 14th Amendment rights.

Prosecutors in Texas typically have absolute immunity from liability in civil cases. But because the district attorney’s office acted as “the equivalent of a detective” by conducting its own investigation, rather than letting police investigate, it forfeited that immunity, Gonzalez claims.

“Additionally,” the lawsuit states, “a district attorney who misleads or conspires to mislead a grand jury in the same way as a constitutionally defective warrant affidavit also waives immunity.”

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