

# ABORTION BANS: THE FACTS

Reproductive access for women in the United States has remained a contentious battleground since the U.S. Supreme Court ruling on *Roe v. Wade* in 1972. From TRAP Laws to continued attempts to defund clinics such as Planned Parenthood, anti-choice legislators have pulled out all the stops to ensure women do not have access to abortion, birth control, and other family planning services. In the age of Trump these attacks have hit an all-time high through the implementation and passing of state-level abortion bans that attempt to bypass *Roe*. These bans are unconstitutional, have statistically been proven to increase maternal mortality rates, and have dangerous implications on the health of women.



## WHAT ARE ABORTION BANS?

Abortion Bans are laws that seek to criminalize the legal obtainment of an abortion during a certain--and often times arbitrary--point in a woman's pregnancy. These bans have presented themselves at 6-weeks, 16-weeks, and 20-weeks. Most legal experts cite these bans, and attempts to pass these bans, as unconstitutional. Attempts to restrict abortion access undermine *Roe v. Wade*, the Supreme Court case that established the constitutional right to abortion. Despite their fundamental contradiction to *Roe*, legislators have continued to introduce and pass abortion bans on a state level, to 1) challenge the federal statute set by *Roe* and 2) continue to revoke access to reproductive services for women across the country.

The most prevalent abortion ban model is the 20-week "Pain-Capable Unborn Child Protection Act". This bill posits that a fetus can feel pain at 20-weeks and is therefore a viable. The junk science behind the "Pain-Capable Unborn Child Protection Act" has been medically debunked by the Physicians for Reproductive Health, the American Congress of Obstetricians and Gynecologists and the Journal of the American Medical Association. Yet, versions of the 20-week ban have been passed in over 17 states including Alabama, Indiana, Georgia, and Kentucky.

While the 20-week ban is the most frequently seen abortion ban, there is also the more extreme "Fetal Heartbeat Bill", or the 6-week abortion ban. These bans make abortion illegal as soon as a fetal heartbeat is detectable, which generally happens between 6 to 7 weeks after conception. 6-week bans, thought to be the most extreme abortion ban in the country have become more popular. For example, on May 1, 2018 the Iowa legislature passed the first 6-week abortion ban in the country making the state the most restrictive in the U.S.

# WHO ABORTION BANS HURT

Here are the facts: abortion bans hurt already vulnerable women. These bans have severe implications for women's health and their quality of care. Statistically, **99% of abortions happen before the 20-week period** and most women who seek abortions after do so because their health or the health of their fetus is severely compromised. In 2009, the **CDC reported that only 1.3% of abortions were performed after 20-weeks.**

**More importantly, certain fetal and genetic abnormalities, are only made apparent after the 20-week period.**

These include anencephaly, a lethal fetal condition characterized by the absence of a brain and cranium, leading to death before or shortly after birth, and renal agenesis, a condition where both kidneys fail to develop also leading to death before or shortly after birth. These are just two of the fatal conditions that can be found in a fetus after 20 weeks. Abortion bans leave women and families with a small window of time to obtain abortion care, further prolonging an already traumatic experience.

**Abortion bans also hurt doctors and licensed physicians.** Most iterations of abortion bans criminalize doctors who conduct abortions on patients after the designated gestation period. For example, the latest 20-week ban introduced in the U.S. House of Representatives punishes abortion providers with up to five years in prison for terminating a pregnancy.

Finally it is important to note that **abortion bans disproportionately affect low-income women.** A number of recent studies have shown that women who face other systemic barriers are more likely to put off health care, subsequently delaying the detection of a pregnancy. Moreover, the average cost for abortive services at public clinics are between \$500 and \$1500. **75% of women who seek abortive services at clinics and from health care providers such as Planned Parenthood are low-income women who cannot incur these costs where it may take a substantial amount of time to pay for them.**

## WHAT CAN YOU DO TO STOP THE BANS?

Unfortunately, abortion bans can be introduced on a federal and state level. This means that even if a ban is rejected in the U.S. Congress, your representatives can still revoke your access to abortive services through their state legislature. But here are a few things that you can do in your state:

### **MAKE SURE YOU KNOW WHEN AN ABORTION BAN HAS BEEN INTRODUCED.**

There are a number of fantastic reproductive rights resources that keep track of the introduction of bills and laws that restrict access to abortion. For example, **Rewire's Legislative Tracker** tells you when a law has been introduced and where it is in the legislative process.

### **UNDERSTAND THE JARGON.**

Anti-choice politicians often mask 20-week bans under names such as the "Pain-Capable Unborn Child Act", the "Women's Health Defense Act", or "personhood" acts. It's important that you know the coded language used to restrict women's access to care.

### **CONTACT YOUR REPRESENTATIVES.**

Never forget: your representative represents your needs and your safety. If your Member of Congress has introduced a measure that threatens your autonomy, let them know (it doesn't hurt to remind them that you hold the power in the next election ;) ) To find out who your elected official is, **[CLICK HERE](#)**.