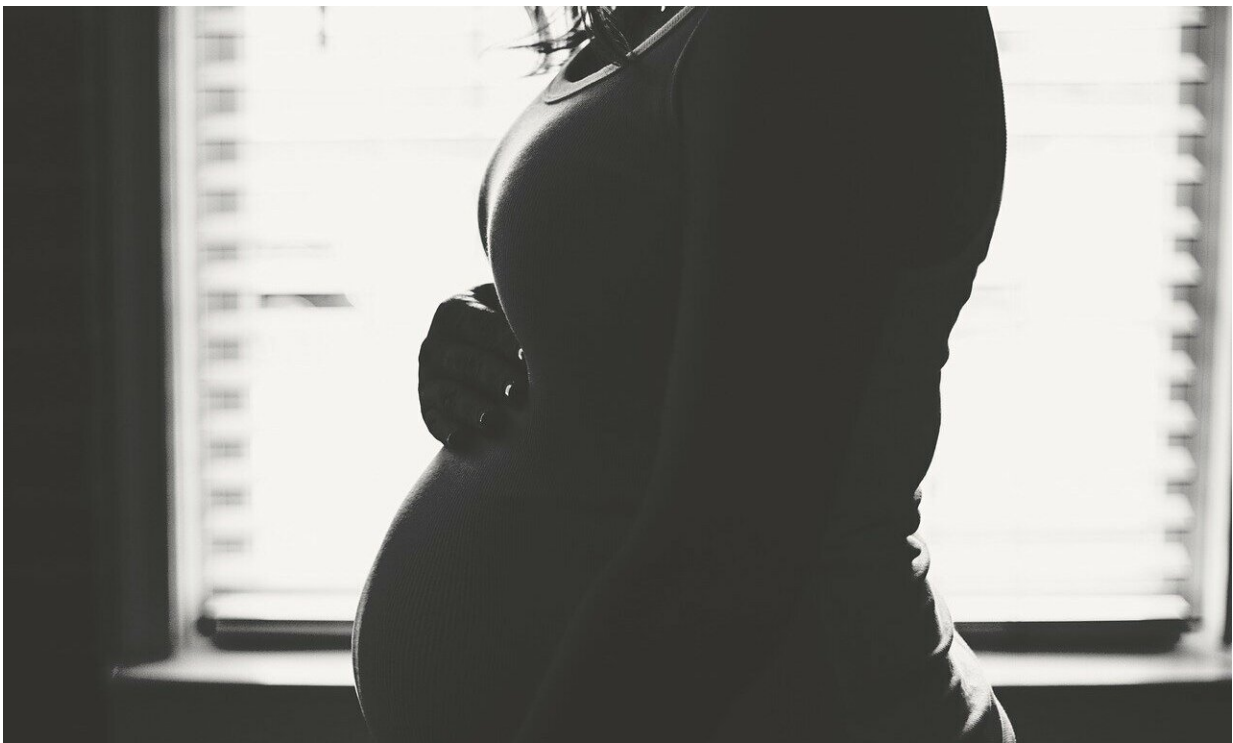


In national survey, most US respondents favored providing incarcerated pregnant women access to abortion

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In the United States, an estimated 58,000 pregnant women enter correctional facilities each year, with many presumed innocent while awaiting trial. The U.S. Supreme Court's decision to overturn *Roe v.*

Wade has profound implications for them.

In a new study, researchers examined [public opinion](#) about incarcerated women [abortion](#) and parental aid, focusing on states that prohibit reproductive choice. Most respondents favored providing incarcerated women in these states access to abortion, especially in cases of rape or when the pregnancy poses a risk to a woman's health.

The study, by researchers at the State University of New York at Albany, the University of Cincinnati, and Xavier University, [appears](#) in *Criminology & Public Policy*.

"Coerced motherhood behind bars is a [human rights violation](#)," says Justin Pickett, associate professor of sociology at the State University of New York at Albany, who coauthored the study. "Our study shows that it is also opposed by a majority of the American public."

Before June 2022, when the U.S. Supreme Court overturned *Roe v. Wade*, incarcerated women had a [constitutional right](#) to an abortion. However, in practice, access to reproductive services in prison has long been inconsistent and often impeded, in part due to the substandard health care incarcerated women receive.

As a result of the court's decision in *Dobbs v. Jackson Women's Health Organization*, decisions about abortion are now in the hands of state legislatures, and the legal landscape is shifting as state court rulings, ballot initiatives, and restrictions on rights are enacted into law. Although some women with resources can attempt to sidestep these restrictions, incarcerated women cannot do so.

In this context, in July 2023, researchers surveyed 800 U.S. residents via YouGov to measure their attitudes toward inmate abortion and parental aid. The sociodemographic, geographic, and political characteristics of

the respondents were similar to those of the adult U.S. population, and the sample's general attitudes toward abortion approximated those of the general population.

The survey concluded that a majority of the U.S. public favor providing incarcerated women in states that prohibit reproductive choice with access to abortion through surgical procedures or medication (i.e., pills). Whether an incarcerated women was serving a prison sentence following a conviction or awaiting trial in jail did not affect respondents' support.

Among respondents living in states that ban abortion, more endorsed than opposed reproductive rights, the survey found. Support for abortion was particularly high when the pregnancy was due to rape or posed a risk to a women's health.

Most respondents also approved of incarcerated mothers receiving parental aid (e.g., baby food, baby clothing, nursery care), regardless of whether their child's birth was coerced or chosen. Of particular note, say the authors, is that conservative Republicans, who were least in favor of providing incarcerated women access to abortion, were also least supportive of giving mothers parental assistance.

Based on the study's findings, the authors call on legal groups (e.g., the American Civil Liberties Union, the American Bar Association) to develop a protocol delineating the rights and services that all incarcerated women who are pregnant should be accorded, including pregnancy screenings, counseling and assistance in scheduling services, and transportation for surgery or access to pills for a medical abortion. Mirroring the Model Penal Code, the authors recommend calling this document the Model Reproductive Services Code.

"Based on our findings, we believe that ideological space exists for reforms aimed at providing [incarcerated women](#) with access to

reproductive services," suggests Paula Smith, associate professor of criminal justice at the University of Cincinnati, who led the study.

"Beyond written protocols, transparency is needed to raise consciousness about coerced motherhood behind bars and to shed light on how corrections professionals handle inmate pregnancies."

More information: Paula Smith et al, Coerced motherhood behind bars: Public support for abortion access for incarcerated women, *Criminology & Public Policy* (2024). [DOI: 10.1111/1745-9133.12675](https://doi.org/10.1111/1745-9133.12675)

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