Reproductive Justice & Criminal (In)Justice

Laura Huss
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WHERE LAWS ARE TURNED AGAINST PREGNANT WOMEN

While "personhood" laws have been attempted in multiple states, voters and courts have consistently rejected legislation that gives constitutional rights to fertilized eggs, embryos and fetuses. However, many states have recognized fetuses as potential victims of violent crimes. Fetal homicide laws were intended to protect pregnant women from violent acts, and though most laws explicitly state they do not apply to the pregnant woman herself, in some states, the laws have been used to bring charges against women for harming the fetuses they carry, regardless of explicit exemptions.

LAWS INTENDED TO PROTECT WOMEN ARE USED AGAINST THEM

Most states have laws that make violence against fetuses a crime, and some provide no exception for the mother of the fetus. Additionally, certain hospitals are much more likely than others to instigate medical interventions or civil child welfare charges against pregnant women, according to one study that looked at 413 cases between 1973 and 2005.

Top three states in arrests or forced interventions of pregnant women, 1973-2005:

- Total state cases, 1973-2005
- Cases originating from specific hospitals

States that recognize fetuses as victims of violent crimes* (37 states)
States that do not recognize fetuses as victims of violent crimes (13 states and D.C.)

- Mo.: 29
- Fla.: 55
- S.C.: 93
- D.C.

Truman Medical Center in Kansas City, Mo.
Medical Center of South Carolina in Charleston, S.C.
Sacred Heart Hospital and Baptist Hospital in Escambia County, Fla.
The Policy and Politics of Reproductive Health

Lynn M. Paltrow
National Advocates for Pregnant Women

Jeanne Flavin
Fordham University
“Personhood,” Feticide, & Pro-Life Measures

2014

COLORADO

TENNESSEE

NORTH DAKOTA

No 67 It Goes Too Far
Mississippi: Rennie Gibbs

Photo Credit: vice.com
Alabama: Amanda Kimbrough & Chemical Endangerment of a Child Law

Photo Credit: Lynsey Addario, New York Times
New York: Rinat Dray & Birth Justice

Photo Credit: Yana Paskova, New York Times
New York: Sara McKenna & Custody

Photo Credit: Damon Winter, New York Times
War on Drugs

Attacks on Reproductive Rights

Child Welfare System

Systemic Inequality

Prison Industrial Complex

Criminal Prosecution System

Birthing & Birth Justice
EXCLUSIVE: A Look Inside the CIA

Crack Kids
Their mothers used drugs, and now it's the children who suffer

Innocent Victims

CHILDHOOD'S END
BABIES BORN TO CRACK-ADDICTED MOTHERS ARE LIKE NO OTHERS. BRAIN DAMAGED IN WAYS YET UNKNOWN, THEY'RE TO ANY AFFECTION. HOW DO YOU CARE FOR A BABY WHO HATES TO BE HELD? BY ELLEN HOPKINS

The Epidemic That Wasn't

In a 1986 photo, testing a baby addicted to cocaine.
By SUSAN OKIE
Meth Babies Are the New Crack Babies

Generation Of Meth Babies
How To Save A Newborn Drug Addict
#ScienceNotStigma

**Top Medical Doctors and Scientists Urge Major Media Outlets to Stop Perpetuating “Crack Baby” Myth**

Signatories from Leading Hospitals and Research Institutes in US and Canada Agree That Term Lacks Scientific Basis and Is Dangerous to Children

Letter Sent to Washington Post, Arizona Republic, LA Weekly, Charleston Post and Courier, Amarillo Globe-News and Other Media Using These Terms

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**Open Letter From Doctors, Scientists, & Specialists Urging Major Media Outlets Not to Create “Meth Baby” Myth**

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**Open Letter to the Media and Policy Makers Regarding Alarmist and Inaccurate Reporting on Prescription Opiate Use by Pregnant Women**
I am more than my addiction. Fighting for those I love, fighting for my life.