

Post-Roe US: 65,000 Forced Pregnancies in States With Abortion Bans

Lisa Jarvis : 5-6 minutes : 1/24/2024

It's now been about a year and a half since the Supreme Court's decision to revoke the constitutional right to abortion. Over that time, new data has been gradually filling in the picture of what access to reproductive health care looks like in much of the US. And the image forming is increasingly grim.

Consider a gut-punch of a [research letter](#) published this week in JAMA Internal Medicine, in which researchers estimate that nearly 65,000 pregnancies have resulted from rape in the 14 states that imposed total abortion bans after Roe v. Wade was overturned.

The number is, to be clear, an estimate. Rates of sexual assault can be challenging to quantify. Traumatized and stigmatized, survivors seldom feel able to report their rape. Department of Justice data suggests that [2 out of 3](#) assaults are never reported — and that underreporting is [even higher](#) among certain groups, such as college students.

So to understand the impact of abortion bans on rape survivors, researchers had to use the best available data to make estimates — first for the number of survivors in states with abortion bans during the roughly 16-18 months those bans have been in effect, and then for the number of assaults likely to result in pregnancy. To do that, they relied on data on sexual violence and criminal victimization from the Centers for Disease Control and Prevention, the DOJ and the Federal Bureau of Investigation.

There's a public perception that rape-related pregnancy is rare. But [one CDC study](#) estimated that some 2.9 million women in the US experience a rape-related pregnancy in their lifetime. And although not all of those women would choose abortion, the limited [available data](#) suggest many would.

Yet a shrinking number have that option, even though [just 15%](#) of people in the US believe abortion should be illegal even in cases of rape. The laws in more than a dozen states where abortion is banned make it difficult for survivors to terminate their pregnancies.

Nine states have bans with no exceptions for rape. Another five allow such exceptions in theory, but these offer merely the illusion of access: The window to receive an abortion is impossibly short in some states (West Virginia, for example, only allows an abortion up to eight weeks from the start of the last menstrual cycle), many doctors [are reluctant](#) or refuse to perform the procedure for fear of prosecution, and some survivors must file a police report to be considered eligible. (See above on the likelihood of that.)

And while it's certainly possible for some rape survivors to travel out of state, data suggest that for many, the trip is too high a hurdle.

Consider, for example, the situation in Texas, which banned abortions in 2021, prior to the Supreme Court ruling. A recent [analysis](#) by researchers from the Johns Hopkins Bloomberg School of Public Health suggested

that some 9,800 additional births occurred in Texas between April and December of 2022 — the first birth cohort that would have been affected by the law.

And a [new analysis](#) from the University of Houston Institute for Research on Women, Gender & Sexuality suggests some groups are less likely than others to be able to travel for an abortion. Among them are likely teens and Hispanic women: Birth data from the CDC suggests that fertility rates in the state overall rose by 2% in 2022, but most prominently among Hispanic women between the ages of 25 and 44, who saw an 8.5% rise in fertility rate. The state also saw a reversal in its 15-year decline in teen birth rates.

The impact of being compelled to give birth is manifold. The longitudinal [Turnaway Study](#), which compared what happened to women denied an abortion with those who received one, and found physical, mental and [socioeconomic](#) impacts. Women denied abortion were [more likely](#) to stay with an abusive partner. They were more likely to sink below the poverty level. And ultimately, they were more likely to raise the child alone.

Then think about the added trauma of rape. “Imagine the incredible additional burden and harm to survivors of sexual assault,” says Samuel Dickman, medical director at Planned Parenthood of Montana and lead author on the new study. (Dickman is involved with lawsuits challenging his home state’s abortion restrictions.) About [8 out of 10](#) survivors know their rapist — and having a child makes it that much harder to cut off contact with that person. Being forced to give birth amounts to being retraumatized by the state.

65,000 rape-related pregnancies in less than two years across 14 US states. Women and sometimes children facing the prospect of legal prosecution, crossing state lines, or carrying their rapist’s child. In a country where 85% of people think rape survivors should have access to abortion, how have we let this happen?

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