

ABORTION ACCESS AFTER ROE and DOBBS

Fifty-three years after the Supreme Court's decision in *Roe v. Wade* and three years after *Dobbs v. Jackson Women's Health Organization*, abortion access in the United States has changed dramatically. Access to safe, affordable, timely abortion care is now largely determined by where someone lives and whether they can afford to travel, take time off work, or pay out of pocket. Zip code and insurance status increasingly determine whether abortion care is available at all.

BY THE NUMBERS (sources noted at the end of document)

Post-Dobbs Abortion Bans

Seventeen states currently enforce total or near-total abortion bans, many prohibiting abortion at six weeks of pregnancy or earlier—before many people know they are pregnant. In states with total abortion bans, in-person abortion care has dropped to near zero.

- As of March 2024, there were no abortion clinics providing care in the 14 states with total abortion bans in effect at that time. These same states had 63 abortion clinics in 2020, before *Dobbs*.
- At least 30 states have abortion restrictions on the books. Many of these include medically unnecessary and harmful requirements, such as:
 - Mandatory waiting periods
 - Mandatory counseling that goes beyond standard informed consent
 - Ultrasound requirements

Shield Laws

- Twenty-two states and Washington, D.C. have enacted shield laws to protect abortion patients and providers within their states.
- Eight states go further, explicitly protecting providers from extradition, criminal penalties, or professional discipline for providing abortion care to patients who travel from states where abortion is illegal.

WHO IS MOST LIKELY TO NEED ABORTION CARE

Among people who obtain abortions:

- More than two-thirds are in their 20s: 33% are ages 20–24 and 28% are ages 25–29.
- Approximately 55% have already given birth to at least one child.
- Sixteen percent identify as non-heterosexual, including people who identify as bisexual, pansexual, lesbian, or another sexual identity.
- 41% have incomes below the federal poverty level (FPL), and 30% have incomes between 100% and 199% of the FPL.
- Based on 2020 abortion rates, approximately one in four women in the United States is expected to have an abortion by age 45.



IMPACT OF ABORTION BANS ON HEALTH & SAFETY

- At least a dozen deaths have been documented in connection with abortion bans or delayed care following Dobbs. Experts widely agree this number is likely a significant undercount, as deaths are often misclassified and investigations are incomplete.
- In Texas, maternal mortality increased 56% in the first full year after the state's abortion ban went into effect. Among White women in Texas, maternal deaths rose 95% during that period.
- Nationally, women living in states that ban abortion are nearly twice as likely to die during pregnancy, childbirth, or shortly after giving birth compared to women in states where abortion remains legal and accessible.

PREGNANCY CRIMINALIZATION

- In the first two years after Dobbs, prosecutors initiated at least 412 criminal cases against pregnant people for conduct related to pregnancy, pregnancy loss, or birth—continuing and expanding a long-standing pattern of pregnancy criminalization.
- A 2021 report authored by the National Association of Criminal Defense Lawyers and the National Association for Criminal Justice - looking at the impact of abortion restrictions stated that an overturning of Roe v Wade would dramatically increase mass incarceration and drive rampant criminalization

WHO IS IMPACTED BY ABORTION BAN

An estimated 36 million women live in states that have banned abortion or are likely to enact further abortion restrictions.

Among women living in abortion-ban or likely ban states:

- 60.8% of Native American women
- 59% of Black women
- 53.5% of economically insecure women
- Approximately 50% of mothers
- 26% of Asian women
- 43% of Latinas
- 27% of Pacific Islander women

PUBLIC ATTITUDES TOWARDS ABORTION ACCESS

- A clear majority of Americans—63%—believe abortion should be legal in all or most cases.
- Majorities across all racial and ethnic groups support legal abortion:
 - 76% of Asian adults
 - 73% of Black adults
 - 60% of White adults
 - 59% of Hispanic adults

SOURCES

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- Gender Equity Policy Institute, Maternal Mortality and Abortion Bans (2023)
- Pregnancy Justice, Pregnancy Criminalization After Dobbs (2024)
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