



PHOTO: JOE LAMB

**Women's reproductive rights are eroding under recent Supreme Court decisions, according to attorney Jennifer Branch.**

## Illegal Abortions Return

Women's reproductive rights are losing ground

▶ BY MARGO PIERCE

**W**omen have fewer reproductive rights now than when the U.S. Supreme Court ruled in *Roe v. Wade* that banning abortions is unconstitutional under the due process clause of the 14th Amendment.

The court decided in 1973 that the procedure is legal because the government must respect all of a person's legal rights with regard to her life, liberty or property. However, that view — that women have the right to make medical decisions about their health — has been eroded by state and federal laws and more recent Supreme Court rulings,

according to Jennifer Branch, a local attorney and reproductive rights advocate.

"Abortion's still legal, and most women have access to an abortion, but look at all the hoops they have to jump through," she says. "The criminalization of abortion is one of the big changes. This is the only surgical procedure in Ohio that is criminalized. In other words, a doctor will go to prison and lose her medical license if she doesn't follow these rules — and there are a lot of them."

Ohio law assumes women are either too stupid or emotionally distraught to make their own decisions regarding pregnancy. One law requires a doctor to give his patient two booklets of information prepared by the state: One is about the development of a fetus, including illustrations, and the other is a list of options other than abortion available to women.

A more recent requirement is that a woman must visit a doctor to obtain "informed consent" 24

hours in advance of the procedure. Only then are women allowed to get a legally performed abortion.

"That is a new step in the last couple of years in Ohio and that is a huge obstacle for abused women," Branch says. "It's hard enough to get away once to go to the clinic. Now you've got to get away twice."

The stigma of shame and cruelty that has been systematically used to vilify those seeking and performing abortions hasn't been limited to adult legislation. Minors who wish to get an abortion must now have parental permission.

That doesn't seem like a big deal: Minors can't do a lot of things unless mom or dad says it's OK. But this law has already been proven to have deadly consequences because illegal abortions are being used to avoid getting this permission.

"The last woman who had any publicity was the minor in Indiana who didn't want to let her parents know — and she had an illegal abortion and she died," Branch says. "It's been a long time and so people aren't educated by the reality of what happens when abortion becomes illegal."

That girl was 17-year-old Becky Bell who, even on her deathbed, was too embarrassed to tell her parents what happened.

Thanks to a new federal law banning what is commonly referred to as a "partial birth abortion," we're that much closer to more illegal procedures, according to Branch.

"The Supreme Court held in April of '07 that the federal ban on that procedure is constitutional," she says. "That was a huge decision because the

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Ben L. Kaufman on media at [citybeat.com](http://citybeat.com). See "On Second Thought."