

New study examines post-Roe v. Wade arrests of and forced interventions on pregnant women

January 17 2013



New study in *JHPPL* examines post-*Roe v. Wade* arrests of and forced interventions on pregnant women. Credit: Journal of Health Politics, Policy and Law 38:2

"Arrests of and Forced Interventions on Pregnant Women in the United States, 1973-2005: Implications for Women's Legal Status and Public Health," an article by Lynn M. Paltrow and Jeanne Flavin in the *Journal of Health Politics, Policy and Law* (volume 38, issue 2), offers a

groundbreaking, in-depth look at criminal and civil cases in which a woman's pregnancy was a deciding factor leading to attempted and actual deprivations of her physical liberty.

As "personhood" measures are promoted and the fortieth anniversary of *Roe v. Wade* approaches, this article broadens the conversation from one about abortion to one about [health policy](#) and the legal status of pregnant women.

Paltrow and Flavin identified 413 cases involving arrests, detentions, and equivalent deprivations of pregnant women's physical liberty between 1973 and 2005. The authors examine key characteristics of the women and cases (including [socioeconomic status](#) and race); identify the legal claims used to support the arrests, detentions, and forced interventions; and explore the role that [health care providers](#) played in facilitating deprivations of pregnant women's liberty.

The data presented in this study challenge the idea that such interventions are rare and isolated events. Analysis reveals how existing laws, including feticide statutes, have been used to justify the arrests of pregnant women; provides evidence of what is likely to occur if personhood measures pass; and highlights the ways in which arrests and forced interventions undermine maternal, fetal, and child health.

Paltrow and Flavin's unparalleled documentation and analysis of cases offers a basis for building a shared political agenda that advances public health and ensures that [pregnant women](#) do not lose their civil and human rights.

More information: Read the article at jhppl.dukejournals.org/content/.../966324.full.pdf+html

Provided by Duke University

Citation: New study examines post-Roe v. Wade arrests of and forced interventions on pregnant women (2013, January 17) retrieved 25 June 2024 from <https://phys.org/news/2013-01-post-roe-wade-interventions-pregnant-women.html>

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