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Maternal Opioid Use Disorder Management and CARe REsources in Custody
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ABORTION IN CUSTODY: FAQS FOR CORRECTIONAL STAFF

This document provides information on abortion to help correctional staff understand why someone might seek an abortion and what they need to know if someone in custody requests and obtains an abortion.

Who has abortions?

- One in four women in the U.S. will have an abortion by the age of 45.
- People from all walks of life, religions, racial identities, economic class, age, jobs, political affiliations, parenting status. . . . have abortions.
  - **Nearly two-thirds of people who get abortions are already mothers!**
  - 62% of people getting abortions identify with a religion, including 24% of abortion patients who identify as Catholic.
  - The majority of women who get abortions are in their 20s.

Why do people have abortions?

- Research shows that the most common reason people report for having an abortion is financial—they can't afford to have a child (or, in most cases, another child) right now.
- Other common reasons include that it is not the right time to have a child (or another child)- this can be for lots of reasons, such as they do not feel emotionally prepared to parent, they want to finish school, or, for people with addiction, they want to focus on their recovery.
- Some women choose abortion because they are in abusive relationships and don't want to be tied to that partner.
- Some people have become pregnant because of rape and don't want the added trauma of having a baby.
- Some women have abortions because they have medical conditions that make pregnancy dangerous, because their fetus is not developing normally, or because of other complications that make ending the pregnancy the safest option for the woman.

If someone doesn't want to be pregnant and have a child, why wouldn't they just take precautions to not get pregnant in the first place?

- The biggest reason is that women face a lot of barriers in trying to access birth control. For example, they may not have health insurance that covers birth control (and they can't afford to pay out of pocket), or they may not be able to get to a clinic that provides birth control.
  - Women with substance use disorders often have an even harder time getting access to birth control.
- Birth control methods aren't perfect! Even when used correctly, birth control methods can fail.
- Condoms can prevent pregnancies (although they have a 15% failure rate), but it requires the man to use them; some women's sexual partners refuse to use condoms.
- Even though there are many birth control methods, some women have medical contraindications to some of these methods. It can be hard to find the right method that is safe for someone and avoids side effects.
- Some women become pregnant as a result of rape and had no control over the pregnancy.

Are people in jail legally allowed to access abortion? Does the jail have to help them access abortion?

- It depends on what state you are in. Some states have laws that prohibit abortion in almost all circumstances, some states have laws that prohibit abortion in some circumstances, and some states have laws that allow abortion with very few restrictions.
- If abortion is legal in your state in general, then this applies to people in custody. Therefore, your facility's abortion policies must be aligned with the broader state law on abortion.
- If abortion is legal in your state, then your facility should make abortion accessible to people in custody.
- Here is a link to an interactive map that updates information about states' abortion laws, from the research organization Guttmacher Institute. https://states.guttmacher.org/policies/
- https://www.kff.org/womens-health-policy/dashboard/abortion-in-the-u-s-dashboard/

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Is abortion safe?

- Yes! Abortion, whether a medication abortion ("pill abortion") or procedural abortion ("surgical abortion"), is one of the safest procedures there is.
- The risk of serious complications from abortion is very low and much lower than the risk of complications from childbirth.

What are the different kinds of abortion and what do jail staff need to know if someone in custody is having an abortion?

- Medication abortion (sometimes called "pill abortion")
  - Using FDA-approved medications, patients take pills that cause them to pass the pregnancy. This is done early in pregnancy, and usually up to 10-11 weeks. Only certain providers/clinics can prescribe these medications, but the patient can undergo the medication abortion process at the jail.
  - They usually have short-term, heavy bleeding and pain after they take the medications, and may have some side effects like diarrhea or vomiting. They should have easy access to anti-nausea medication, pain medications, menstrual pads, and a bathroom.
  - Usually the process starts a few hours after taking the last of the abortion medications. For most people, the process lasts a few hours, but for others it can take longer.
  - Patients undergoing a medication abortion in custody should have easy access to emergency medical care in case their bleeding is too heavy or they develop other problems that require immediate medical attention.
  - Patients need a follow-up appointment within 1 to 2 weeks with the clinic that prescribed the medications to make sure they have passed the pregnancy. This can be by telehealth.
- Procedural abortion (sometimes called "surgical abortion")
  - For people who are more than 10-11 weeks pregnant, or who don't want to have a medication abortion, they can have a simple procedure called a "D&C" or "D&E."
  - While some people call it surgery, it does not involve any cutting or incision and is done through a pelvic exam.
  - Most procedural abortions take 10-20 minutes to complete.
  - Procedural abortions can't happen on site at the jail. They happen either in a clinic in the community or a hospital.

What kinds of warning signs do jail staff need to look out for when someone in custody has recently had an abortion?

- Abortions are safe. But sometimes, complications can happen a few days or weeks after the procedure. If there is a complication, the patient needs medical treatment.
  - While rare overall, some examples of complications include heavy bleeding and infection.
- These are some of the warning signs that women need to look out for in the first 4-6 weeks after an abortion, and that jail staff need to take seriously and **REFER FOR MEDICAL EVALUATION:**
  - Heavy bleeding, soaking a pad or more every hour
  - Fever >100.4
  - Severe abdominal pain that's not relieved by ibuprofen or Tylenol
  - Green or foul-smelling vaginal discharge
  - Lightheadedness or dizziness
- While most people do not have mental health issues after abortion, occasionally, women will need additional support. If they have a mental health condition already, or if they request to see a mental health professional, they should be referred.

For more information and this document (under Resources), visit momcarejail.org