

# STATE ABORTION BANS THREATEN NEARLY 7 MILLION BLACK WOMEN, EXACERBATE THE EXISTING BLACK MATERNAL MORTALITY CRISIS

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Nearly two years later, the decision to overturn *Roe v. Wade* continues to significantly harm millions of people across the nation, impeding their access to abortion, disrupting their economic futures, and putting their health and even their lives at risk. The impact of this decision is particularly harmful for women of color, who are less likely to have access to high-quality, culturally competent health care and face greater economic barriers to getting abortion care.

The *Dobbs* decision has unique impacts on Black communities.\* Black women, girls and gender expansive people have a rich array of diverse experiences that are shaped by race, class, gender, sexual orientation and gender identity, disability, geography and more. Black women operate within political, cultural and economic systems

that continue to be shaped by centuries of discrimination, bias and systemic oppression – including in the context of reproductive health and pregnancy. Black women have also developed cultures and practices of leadership, resistance, and joy. All of these factors inform the range of Black communities' lived experiences, including their ability to achieve Reproductive Justice – the right to have children, the right to not have children, the right to raise children in a safe and healthy environment, and the right to sexual expression and pleasure. The systems and policies that harm Black communities, including inequitable access to health care, limited access to paid leave, discriminatory health care practices and more, have led to a maternal health crisis for Black women. These same barriers undermine access to abortion care, and have only been exacerbated by abortion bans that have been or are likely to be enacted in the wake of the *Dobbs* ruling.

## Black Women Contend with Recent Abortion Restrictions

In Our Own Voice: National Black Women's Reproductive Justice Agenda polling documents the negative impacts for Black women aged 18 to 44 living in states with abortion restrictions. Black women in these states report that recent bans and restrictions have made them think about:

- not having any or any additional children (46 percent),
- the risk of maternal mortality to them or a partner (43 percent),
- their reduced safety (41 percent),
- moving to a less restrictive state (34 percent), and
- the risk of being arrested in relation to a pregnancy, miscarriage or abortion care (34 percent).

Nearly two-thirds of Black women in these states reported having at least one of these thoughts as a result of recent bans and restrictions.

*\* In this analysis, Afro Latinas and multiracial Black women are included in the overall number of Black women. Results in this analysis may differ from other National Partnership analyses on this topic which analyze Latinas and multiracial women separately.*

New analysis from the National Partnership for Women & Families and In Our Own Voice: National Black Women’s Reproductive Justice Agenda reveals the harmful impact of Dobbs on Black women. We find that:

- More than 6.7 million Black women – 57 percent of all Black women ages 15-49 – live in the 26 states that have banned or are likely to ban abortion.
- More than 58 percent of all Black women who live in these 26 states are already mothers. Black mothers are especially likely to be their family’s primary or sole breadwinner, making their income especially important to their families. Research shows that when mothers cannot access abortion care, the economic security and development of their existing children is negatively impacted.
- Nearly 2.7 million Black women living in these states are economically insecure. Women with low incomes are especially impacted by state bans as they are more likely to lack access to the necessary funds to travel to another state for abortion care. Furthermore, women who are denied abortion care are significantly more likely to be pushed deeper into poverty as a result. Research finds that Black women’s labor market outcomes are especially impacted by the availability of abortion.
- Among Black women veterans, 114,000 live in states that have or are very likely to ban abortion after Dobbs. While the U.S. Department of Veterans Affairs (VA) has acted to expand access to abortion care, not all veterans are eligible for or utilize VA health care.
- Nearly 57 percent of disabled Black women live in these 26 states. Disabled people already face barriers and discrimination in accessing health care and disabled people of color experience a “double burden” compounded by their intersecting identities. Disabled people seeking abortion care face these same barriers, worsened by stereotypes and stigma regarding the sexuality of people with disabilities. Dobbs has compounded these problems by adding additional costs and accessibility barriers to care.
- More than one-third of Afro Latinas and 44 percent of multiracial Black women live in states that have banned or are likely to ban abortion after Dobbs. Living at the intersection of myriad racial and ethnic identities creates particular barriers for these women, as different communities face diverse barriers

related to a range of factors including discrimination, access to reproductive care, geography and more.

## Abortion bans exacerbate the Black maternal health crisis

Abortion bans and the harms caused by *Dobbs* are especially egregious in light of this country’s ongoing maternal health crisis. Black women and birthing people have the highest rates of maternal mortality in the country, and are three times more likely to die in childbirth as compared to white women. Black women are also disproportionately affected by severe maternal morbidity – unexpected outcomes in labor and delivery (e.g., hypertension and anxiety) that result in significant short- or long-term consequences to the childbearing person’s health and well-being. Tragically, more than 80 percent of pregnancy-related deaths are preventable. Yet, because of systemic racism and discrimination, inadequate access to high-quality and culturally affirming maternal health care, including doulas, midwives, and labor and delivery classes, and other social drivers of health, Black women and birthing people continue to bear the brunt of this crisis. In a recent poll released by In Our Own Voice, a major-

ity of Black women (54 percent) said they have felt the effects of racial and gender bias in the health care system and one in five (19 percent) said they felt a healthcare provider did not take their pain seriously during pregnancy or childbirth because of their race and/or gender.

Abortion bans have undoubtedly exacerbated the inaccessibility of high-quality maternal health care. For example, hospitals have closed their maternity wings entirely because of the legal landscape, compounding the already dire state of maternity care deserts. Many providers are being forced to leave states with abortion bans, adding to the pre-existing shortage of health care providers. Many new residents are choosing not to train in ban states – but those that do are likely to miss out on learning essential skills in caring for pregnant people, which will inevitably lead to worse maternal and reproductive health outcomes. Moreover, providers have repeatedly been forced to compromise the care they offer to pregnant people, including those experiencing significant pregnancy complications or medical emergencies, as a result of abortion bans. One study estimates that, if there was a federal abortion ban, there could be a staggering 39 percent increase in maternal deaths for Black women.

### BLACK WOMEN OF REPRODUCTIVE AGE LIVING IN STATES THAT HAVE BANNED OR ARE LIKELY TO BAN ABORTION AFTER DOBBS

	Total Number in the Ban/ Likely Ban States	Total Number in the United States	Share of Community in the Ban/Likely Ban States
All Black women	6,701,500	11,840,000	56.6%
Black mothers	2,677,000	4,592,100	58.3%
Black women who are economically insecure	2,664,300	4,331,700	61.5%
Black women veterans	114,000	180,500	63.2%
Disabled Black women	614,200	1,088,000	56.5%
Black women in a service occupation	1,395,700	2,562,100	54.5%
Black women born abroad	642,400	1,521,400	42.2%
Black women with Medicaid	1,790,000	3,594,000	49.8%
Black women who are uninsured	1,012,900	1,402,300	72.2%
Afro Latinas	226,500	641,200	35.3%
Multiracial Black women	632,900	1,446,600	43.8%

Source: Authors’ calculations using 2018-2022 American Community Survey 5-Year Estimates via IPUMS. Figures are for women of reproductive age (15-49). See methodological note for additional information.

**BLACK WOMEN OF REPRODUCTIVE AGE LIVING IN STATES THAT HAVE BANNED OR ARE LIKELY TO BAN ABORTION AFTER DOBBS AND HAVE ABOVE-AVERAGE MATERNITY MORTALITY RATES**

	Total Number in the Ban/ Likely Ban States with Above-Average Maternal Mortality Rates	Total Number in the United States	Share of Community in the Ban/Likely Ban States with Above-Average Maternal Mortality Rates
All Black women	6,492,200	11,840,000	54.8%
Black mothers	2,588,400	4,592,100	56.4%
Black women who are economi- cally insecure	2,572,100	4,331,700	59.4%
Black women veterans	112,100	180,500	62.1%
Disabled Black women	592,100	1,088,000	54.4%
Black women in a service occu- pation	1,342,100	2,562,100	52.4%
Black women born abroad	610,400	1,521,400	40.1%
Black women with Medicaid	1,706,700	3,594,000	47.5%
Black women who are uninsured	990,200	1,402,300	70.6%
Afro Latinas	215,800	641,200	33.7%
Multiracial Black women	586,400	1,446,600	40.5%

Source: Authors' calculations using 2018-2022 American Community Survey 5-Year Estimates via IPUMS. Figures are for women of reproductive age (15-49). See methodological note for additional information.

Our new research finds that of the 26 states that have banned or are likely to ban abortion after Dobbs, 17 also have above-average maternal mortality rates.

- Nearly 55 percent of all Black women of reproductive age in the United States live in states that have both banned or are likely to ban abortion and have above-average maternal mortality.
- Roughly six in 10 Black women who are veterans and six in 10 Black women who are economically insecure live in states at this intersection.
- The majority of Black mothers and the majority of disabled Black women live in these states.

Black women's inequitable access to insurance coverage also compounds the harmful impacts of a lack of access to abortion and maternity care. Although insurance coverage for maternal health care has greatly improved since the passage of the Affordable Care Act and the recent state expansions of Medicaid postpartum coverage, millions of people have lost coverage due to Medicaid "unwinding" and coverage for abortion coverage is still extremely limited. Nearly

one third of Black women are enrolled in Medicaid, which restricts insurance coverage for abortion care except in very limited circumstances. Medicaid enrollees living in abortion ban states may be prevented from using their coverage for care even in those narrow circumstances, as state bans are often more restrictive. Our research finds that nearly 1.8 million Black women covered by Medicaid live in states that have banned or are likely to ban abortion after *Dobbs*. Even more troubling is our finding that nearly 1 million uninsured Black women live in states that have both above-average maternal mortality rates and that have banned or are likely to ban abortion. This lack of insurance coverage means that these women are significantly less likely to be able to access high quality reproductive, preventative, primary and overall health care, which inevitably leads to worse health outcomes and greater health inequities.

Additionally, abortion bans also increase the threat of criminalization facing Black communities, which in turn has negative consequences for maternal health outcomes. Black people are already over-surveilled and over-policed, and this is especially true

for Black immigrants. Alarming, Black women are also disproportionately subject to criminal proceedings arising from their pregnancies. In Our Own Voice's recent poll shows that more than one-third of Black women of reproductive age in states with abortion restrictions said the Dobbs decision has made them think about the risk of being arrested related to pregnancy, miscarriage or abortion care, compared to less than a quarter of Black women in states with more accessible abortion care. The consequences of arrests, prosecutions, detentions and convictions are far-reaching, especially for women of color. Moreover, there is an entrenched mistrust between Black and brown patients and the health care system stemming from the history of reproductive health care experiments and forced sterilization, and from ongoing discrimination and mistreatment. Criminalizing pregnant people exacerbates this mistrust and intensifies health inequities.

## Abortion bans harm Black women's economic security

Given the increased economic resources required to access abortions in many communities post-*Dobbs*, the 2.7 million economically insecure Black women in these 26 states are particularly likely to be harmed. Because getting abortion care now often necessitates traveling over long distances and for multiple days, costs include transportation, lodging, meals, child care, missed wages and more – in addition to the cost of the abortion itself. For many Black women, these costs would force them into economic precarity, or are so insurmountable as to push abortion care out of reach.

Compounding the impacts of these costs is the lack of supportive policies for Black women living in these 26 states. No states that have banned or are likely to ban abortion provide paid family and medical leave, creating an additional burden for Black women in these states who may need to take leave to access care. Having access to paid leave is especially important for Black women, who have high rates of labor force participation and frequently need to forgo leave or take leave without pay. Taking time off from work is especially difficult for Black women in particular jobs, such as service occupations. Our research shows that more than 1.4 million Black women in the 26 states surveyed work in service occupations. These same jobs are less likely to provide access to supports that are necessary both to access abortion care and to achieve economic security, including paid sick days and flexible scheduling. While the Pregnant Workers' Fairness Act regulations clarify that employers must provide time off for pregnancy related medical appointments, including for abortion or recovery, this time is unpaid, creating an insurmountable burden for many women.

## State-level impacts of abortion bans

The actions of certain states are especially harmful for Black women and their families. We find that Black women in three states – Florida, Texas, and Georgia – account for 44 percent of Black women in ban states and one-quarter of all Black women of reproductive age in the nation. Moreover, all of these states have above-average maternal mortality rates and none of them provide paid family and medical leave.

- Texas is home to more than 1 million Black women of reproductive age – 9 percent of all Black women of reproductive age in the country and 15 percent of Black women who live in these 26 states. Of these Black women, 407,500 are mothers, 348,700 are economically insecure, 24,300 are veterans and 93,100 are disabled. They are all harmed by Texas's draconian abortion ban, which prevents abortions at all stages of pregnancy except for life-threatening medical emergencies. Birthing people in Texas are also highly vulnerable to poor health outcomes, and the state has failed to enact key policies that support pregnant and birthing people.

- Florida is home to 960,500 Black women of reproductive age – 8 percent of all Black women of reproductive age in the country and 14 percent of Black women who live in these 26 states. Of these Black women, 358,900 are mothers, 354,700 are economically insecure, 15,700 are veterans and 68,800 are disabled. All of these women are harmed by Florida's abortion law, which bans virtually all abortions after 6 weeks of pregnancy. In large part due to poor health care access overall in the state, birthing people in Florida are more likely to have negative health outcomes.
- Georgia is home to 948,800 Black women of reproductive age – 8 percent of all Black women of reproductive age in the country and 14 percent of Black women who live in these 26 states. Of these Black women, 373,700 are mothers, 330,200 are economically insecure, 20,800 are veterans and 75,600 are disabled. Georgia's women are harmed by very restrictive abortion laws, including a 6 week ban. Georgia has one of the highest maternal mortality rates in the country, and the state has failed to adopt policies necessary for improving maternal and infant health outcomes.

**REPRODUCTIVE AGE-BLACK WOMEN IN STATES THAT HAVE BANNED OR ARE LIKELY TO BAN ABORTION AFTER DOBBS**

	All Black women	Black mothers	Black women who are economically insecure	Black women veterans	Disabled Black women	Black women in a service occupation	Black women born abroad	Black women with Medicaid	Black women who are uninsured	Afro Latinas	Multiracial Black women
Alabama*	353,500	139,000	155,900	6,900	36,900	71,000	5,600	85,800	52,700	2,700	12,600
Arizona*	108,400	40,600	34,900	1,500	10,100	21,100	14,000	29,200	14,300	11,700	28,700
Arkansas*	122,800	51,900	60,700	-	15,000	26,100	1,800	49,700	13,800	-	6,800
Florida*	960,500	358,900	354,700	15,700	68,800	207,800	223,800	207,500	174,000	71,800	110,400
Georgia*	948,800	373,700	330,200	20,800	75,600	163,900	82,100	189,100	161,200	17,600	51,900
Idaho^	5,600	2,500	2,400	-	-	1,700	-	1,800	-	-	2,500
Indiana*	189,400	77,200	81,300	-	20,700	42,600	16,800	64,000	19,700	5,100	27,800
Iowa	41,600	18,300	19,600	-	3,800	10,800	11,400	18,900	4,700	2,000	10,200
Kentucky*	103,100	43,000	44,500	-	12,500	23,600	10,900	44,000	8,100	2,300	17,600
Louisiana*	386,600	156,900	185,700	4,400	39,500	99,400	7,100	180,100	32,400	4,000	19,400
Mississippi*	288,600	122,800	147,300	3,400	32,300	58,400	2,400	79,400	50,500	1,400	7,700
Missouri*	195,300	75,800	77,200	1,600	19,700	44,300	12,400	45,800	28,100	2,800	19,800
Montana^	1,800	-	-	-	-	-	-	-	-	-	-
Nebraska*	29,700	12,100	12,100	-	2,300	7,900	6,300	7,800	4,300	-	7,400
North Carolina*	609,200	236,200	228,200	11,700	49,600	117,300	36,400	157,900	78,300	16,800	51,100
North Dakota^	8,500	3,500	4,500	-	-	-	5,000	-	-	-	-
Ohio*	415,400	182,700	196,400	3,000	45,400	100,700	37,800	182,300	40,200	11,700	62,100
Oklahoma*	90,100	38,300	41,500	2,400	11,300	23,500	7,300	22,800	17,000	3,800	19,900
South Carolina*	349,400	142,600	145,900	8,000	32,100	68,800	8,700	101,500	46,300	5,400	19,000
South Dakota^	6,200	3,100	2,500	-	-	-	-	-	-	-	1,300
Tennessee*	311,500	129,400	127,000	3,900	27,300	61,500	15,800	91,200	42,700	4,600	23,100
Texas*	1,029,900	407,500	348,700	24,300	93,100	204,100	121,200	168,700	206,600	52,300	101,100
Utah	16,500	6,600	5,100	-	1,800	3,500	4,400	2,800	3,000	3,200	7,000
West Virginia^	17,800	5,900	7,800	-	2,600	4,100	-	7,300	1,800	-	4,700
Wisconsin	109,500	47,400	49,100	-	11,500	27,400	5,700	48,400	8,900	3,900	17,600
Wyoming^	1,800	-	-	-	-	-	-	-	-	-	-
Total in states with above-average maternal mortality rates	6,492,200	2,588,400	2,572,100	112,100	592,100	1,342,100	610,400	1,706,700	990,200	215,800	586,400
Total	6,701,500	2,677,000	2,664,300	114,000	614,200	1,395,700	642,400	1,790,000	1,012,900	226,500	632,900

Source: Authors' calculations using 2018-2022 American Community Survey 5-Year Estimates via IPUMS. Figures are for women of reproductive age (15-49). Figures are unavailable due to small sample sizes for certain groups in certain states, though totals include women from all ban states. \* Indicates above-average maternal mortality rate. ^ Indicates maternal mortality data not available. See methodological note for additional information.

**Methodological note:** This impact analysis uses the 2018-2022 American Community Survey accessed via IPUMS USA, University of Minnesota. We use a five-year dataset to have a sufficient sample size to analyze state-level data. People born in the U.S. territories are born in the United States. People reporting health insurance coverage may have multiple kinds of coverage. Due to data limitations, this analysis does not include people who do not identify as women but may become pregnant, including transgender men and nonbinary people. The 1.6 million transgender people 13 and older and 1.2 million LGBTQ nonbinary people age 18-60 in the U.S. are deeply impacted by Dobbs. Many transgender and nonbinary people can become pregnant and are directly impacted by this ruling. The harms are more severe for transgender and nonbinary people of color, those who are disabled, and others who are members of multiple marginalized communities. The transgender and nonbinary communities are not mutually exclusive.

The authors would like to thank Ebony Baylor, Regina Davis Moss, Venicia Gray, Sharita Gruberg, Mettabel Law, Kiera Peoples and Meera Rajput for their contributions.