



The State of Black Women & Reproductive Justice

TEXAS

Texas has a population of 30 million people, making it the second most populous state in the U.S. Only California has more residents. Texas is second only to Alaska in land area.¹

Black Americans account for 13.4% of the state's population, compared to 13.6% nationally. In Texas, 40% of the population is white; 40% is Latino/Hispanic; 5.7% is Asian; 1.1% is American Indian and Alaska Native; and .2% is Native Hawaiian or other Pacific Islander.²

Legislative Profile

- Governor Greg Abbott (R) opposes reproductive autonomy.
- The Texas House opposes reproductive autonomy.
- The Texas State Senate opposes reproductive autonomy.

Policy Profile: Access To Health Care^{3 4 5}

AFFORDABLE HEALTH CARE

- Texas has not adopted Medicaid expansion and, as a result:
 - » There are 1,748,000 Texas residents who would be covered under expansion.
 - » 771,000 people have no realistic access to health insurance.
 - » \$15.3 billion in funding was lost to the state in 2022.
- Texas is planning to implement a program to provide Medicaid coverage for women up to 12 months post-partum.
- Texas has the largest rate of uninsured people in the country (20.5%); for the US as a whole, the rate is 10.2%.
- The uninsured rate for Black people in Texas is 17.5%, compared to the national average uninsured rate for Black people of 10.9%.

HEALTH IMPACT FROM THE COVID-19 PANDEMIC^{6 7}

- The Black population accounted for 11% of all COVID-related deaths in Texas, which aligns with the percentage of the state's population (13%).
- The white population comprised 46% of deaths and 40% of the population; the Hispanic population accounted for 41% of deaths and 40% of the population.
- More than half of white and Hispanic people in Texas are vaccinated (55% and 68%, respectively); 49% of Black Texans are vaccinated.

ACCESS TO ABORTION CARE^{8 9} 10 11

- In Texas, abortion is now illegal, unless it is required to save the pregnant person's life.
- In *Zurawski v. State of Texas*, the Texas Supreme Court rejected the claims of 20 women denied abortion care and 2 ob-gyns; the suit sought clarification about the scope of the medical emergency exemptions under Texas' three bans.
- The guardian of a minor must be notified and provide consent before an abortion can be provided.
- Texas' abortion rate in 2020 was 9.0 procedures per 1,000 women aged 15–44.

FAMILY PLANNING SERVICES^{12 13}

- Texas prohibits state funds from being used to provide minors with family planning services without parental consent. Married minors can get a birth control prescription without a parent or guardian's permission.
- Texas Medicaid covers family planning services for women who make under 209% of the Federal Poverty Level and have lost coverage.

SEXUAL HEALTH EDUCATION¹⁴

- Texas schools are not required by law to teach sexual health education or education on sexually transmitted infections (STIs), including about HIV (the virus that causes AIDS).
- If a school district offers sexual health education, the Texas Board of Education provides minimum requirement standards, including strongly stressing abstinence.
- School districts are prohibited from distributing condoms.
- Guardians may remove their children from any part of sexuality education if it conflicts with their "religious or moral beliefs."

Systemic Disparities

MATERNAL & INFANT MORTALITY^{15 16 17 18 19}

- Texas has the highest rate of maternal mortality in the country. From 2018–2021, there were 257 pregnancy-related deaths in the state. The state's maternal mortality rate was 22.9 deaths for every 100,000 live births. In comparison, the U.S. national rate is 20.4/100,000 live births.
- According to state data, in 2019, Black women were twice as likely to die from pregnancy-related causes, compared to white women; they are four times as likely to die than Hispanic women. Almost all (90%) of Texas' maternal deaths were deemed to be preventable.
- New data from the Centers for Disease Control and Prevention (CDC) indicate that the nation's maternal mortality rate increased in 2021, to 32.9 deaths for every 100,000 live births. The U.S. mortality rate for Black women was 69.9 deaths per 100,000 live births, 2.6 times the rate of white women (26.6).
- The infant mortality rate in Texas is 5.2 deaths for every 1,000 live births; the U.S. rate is 5.4/1,000 live births.
- Pregnant people who live in a state like Texas that banned abortion post-*Dobbs* were up to three times as likely to die during pregnancy, childbirth, or soon

TEXAS' WAGE GAP



BLACK WOMEN MAKE **58 CENTS**
FOR EVERY \$1.00 A WHITE MAN MAKES,
A WAGE GAP OF **42 CENTS**.

BLACK WOMEN'S **LIFETIME LOSSES**
DUE TO TEXAS' WAGE GAP ARE

\$1,203,400

A BLACK WOMAN'S
CAREER EARNINGS
CATCH UP TO A WHITE MAN'S AT
AGE 88.

Source: National Women's Law Center (NWLC), *Wage Gap by State for Black Women—March 2023*, Washington (DC): NWLC, 2023. Online: <https://nwlc.org/resource/wage-gap-state-black-women/#>

National Women's Law Center (NWLC), *Lifetime Wage Gap Losses State by State*, Washington (DC): NWLC, 2023. Online: <https://nwlc.org/resource/the-lifetime-wage-gap-state-by-state/>

after giving birth. Babies born in those states were almost 30% more likely to die during the first month of life.

- The infant mortality rate for Black babies in Texas is 9.5/1,000 live births; the rate is 4.1 and 5.0 for white and Hispanic babies, respectively.²⁰

STDS/STIS, INCLUDING HIV/AIDS²¹

- In Texas, in 2021, of the STI/STD diagnoses where race/ethnicity was known:
 - » Of the 1,004 cases of Syphilis, 30% were among Black women, 31% were among white women, and 38% were among Hispanic women.
 - » Of the 58,877 cases of Chlamydia, 29% were among Black women, 23% were among white women, and 46% were among Hispanic women.
 - » Of the 18,616 cases of Gonorrhea, 40% were among Black women, 24% were among white women, and 35% were among Hispanic women.
- In 2022, 43.5% of the women who received an HIV diagnosis were Black women, 18% were white women, 34% were Hispanic women, and 3% were multi-racial.
- In 2021, 53% of the AIDS-related deaths among women in Texas were among Black women; 17% were among white women, 20% were among Hispanic women, and 9% were among multi-racial women.

REPRODUCTIVE CANCERS²²

- In Texas, the age-adjusted rate of new breast cancer cases is 109.5 cases for every 100,000 women. Black women's rate is 117.8 for every 100,000 women, compared to 126.7 and 77 for white and Hispanic women, respectively.
- The breast cancer mortality rate for Black Texans is 27.7 deaths for every 100,000 women, compared to 19.6 and 14.5 per 100,000 for white and Hispanic women, respectively.
- The age-adjusted cervical cancer rate is 8.9 cases for every 100,000 Texan women. The rate for Black women is 7.6 per 100,000 women, compared to 9.0 and 9.9 for white and Hispanic women, respectively.
- The cervical cancer mortality rate for Black Texans is 3.5 deaths for every 100,000 women, compared to 2.7 and 3.3 per 100,000 for white and Hispanic women, respectively.

LGBTQIA+ LIBERATION²³

- In 2023, Texas passed and implemented a law banning transgender minors from transition-related services (including puberty blockers and hormone therapies); opponents are planning to sue to stop the law from taking effect in September.²⁴
- Texas does not prohibit discrimination based on sexual orientation or gender identity with respect to housing; public accommodations; credit and lending. There is a nondiscrimination policy for state employees that addresses sexual orientation and gender identity.
- Texas has not banned "conversion therapy."
- Texas does not ban insurance exclusions for transgender health care; it does not provide transgender-inclusive health benefits to state employees.
- Texas does not have laws that allow LGBTQIA+ parents to get joint and/or second-parent adoptions.
- No state law protects LGBTQIA+ parents with respect to adoption or foster care; state family leave laws do not include LGBTQIA+-inclusive definitions of "spouse" or "partner."

ECONOMIC JUSTICE^{25 26 27 28}

- Black women in Texas make 58 cents for every dollar that a white man makes.
- Over a 40-year career, a Black woman will lose \$1,203,400 to Texas' wage gap. A Black woman will have to work full time until she is 88 to make the same amount a white man makes by age 60.
- Texas does not have state paid or unpaid leave; unpaid leave under the federal Family and Medical Leave Act is inaccessible for 64% of Texans. Paid leave is inaccessible to 74% of working Texans.
- In Texas, 36.3% of women-headed households live in poverty. Among Black women, 18.6% live in poverty, compared to 14.2 of all women aged 18 and older, and 9.3% of white women in the state.

CRIMINAL JUSTICE^{29 30 31}

- Black individuals comprise 33% of the state's prison population, compared to just 13% of the overall state population; they are 3.4 times more likely than white individuals to be incarcerated.
- Texas law prohibits shackling of pregnant prisoners, requires them to be housed on lower bunks and given

adequate nutrition, mandates a 72-hour bonding period post-birth, and prohibits putting pregnant prisoners and those who recently gave birth into solitary confinement.

- Texas denies the vote to citizens who are incarcerated for a felony conviction or who are on felony probation or parole; as a result, the number of Texans who are denied voting rights is larger than the disenfranchised populations of 47 states. Currently, 2.5% of the state's voting age population is denied the vote.

VIOLENCE AGAINST WOMEN^{32 33 34}

- In 2021, Texas experienced its highest number of family violence-related deaths in recent history; the number of these deaths has been increasing across the state since 2017. The state had three times the number of deaths in 2021, compared to 2017 (529 deaths vs. 186 deaths, respectively).
- In 2020, 21% of the family violence victims were Black, which is disproportionately larger than their share of the state population (13%).
- Texas law prohibits people who have been convicted of domestic violence misdemeanor assault from possessing firearms for five years following their release from confinement or community supervision (whichever is later). The state prohibits those who are subject to domestic violence protective orders from possessing firearms. Texas does not require those who are subject to domestic violence protective orders to have their guns or ammunition removed.
- Since 2020, 13 women have been killed in police-involved shootings; 5 of the victims were white, 5 were Hispanic, 1 was Black, and 2 were of unknown race/ethnicity.

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We are a national partnership focused on lifting up the voices of Black women leaders at the national, regional, and state level in our ongoing policy fight to secure Reproductive Justice for all women and girls.



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In Our Own Voice: National Black Women's Reproductive
Justice Agenda

Editor: Susan K. Flinn, MA

Design: Goris Communications

Because the Reproductive Justice framework encompasses bodily integrity and autonomy, our use of the term "women" includes cis, femmes, trans, agender, gender non-binary, and gender non-confirming individuals.