



# Reporting on People Accused of Self-Managing Abortions Thoughtfully



People who have abortions face a lot of stigma in their families and communities. Stigma is even worse for people who get arrested and unjustly accused of crimes for self-managing an abortion or for losing a pregnancy through stillbirth or spontaneous abortion also known as "miscarriage." Despite the absence of laws making self-managed abortion a crime, we are seeing an increase in prosecution and jailing of people suspected of ending their pregnancies on their own. We are asking reporters and editors to be vigilant about the choices they make when reporting the story, which can elevate abortion stigma, factual inaccuracies, and harm the individual accused for decades to come. We offer these tips to help reporters, journalists, and editors to recognize which decisions they make in the newsroom are choices that further assumptions of guilt and misinformation about people who self-manage abortions.

**Do not use a mugshot in your coverage.** Rethink the practice of sharing mugshots of arrested people. Using the mugshot photo, provided by police, communicates a presumption of guilt to readers. Framing the person having an abortion as guilty of a crime strips them of their humanity and posits abortion as a criminal act, rather than healthcare. It also gives the impression that all abortions are illegal, thus making others believe they are unable to seek care.

**Use first name only.** We encourage outlets to only use a person accused of an abortion's first name rather than their full name in coverage. Not only is a person dealing with the fallout from the arrest and the stigma associated with having an abortion, the indexing of their full name alongside the charges on the internet can make it difficult for them to live their lives post-arrest. Employers may not want to hire them, landlords may not want to rent to them, and others may not want to be associated with them, despite a crime having never occurred. A misunderstanding of the law by police and prosecutors should not follow this person their entire lives.

**Question the charges.** In several cases, people accused of self-managing abortions have been arrested on charges that were never meant to apply to, and sometimes explicitly exempt, people who are having an abortion or a miscarriage. Reporters should question narratives set out by police and not assume the statements they make are facts. It is important that reporters do not automatically accept the statements of police as fact as they are not experts on laws governing reproductive health and they may have their own anti-abortion bias and interpretation of a law. Reporters should also be skeptical of charges brought by prosecutors who, while are supposed to be experts on the law, sometimes ignorantly misapply laws wholly unrelated to abortion or allow their own racist, misogynistic, anti-abortion biases and political agendas impact their prosecutorial discretion.

**Use caution when interviewing family members.** Use discretion and caution when interviewing family members as their relationship with the person who has been arrested may be more complicated than they acknowledge. They may be estranged from the person having the abortion, may have been unaware of the pregnancy itself, and reporting what they say could spread misinformation about abortion and about why the person chose to end their pregnancy. Family members are not necessarily experts as to an individual's frame of mind, life circumstances, nor decision making process, and the person having the abortion may have intentionally left them out of their pregnancy experience for a reason. While some family members can give readers insight into who their loved one is, they may also cast judgment and assumptions of guilt as a result of their misunderstanding of what their loved one was going through.





# Reporting on People Accused of Self-Managing Abortions Thoughtfully



## Frequently Asked Questions

### **What is abortion stigma?**

Abortion stigma is a set of negative, unfair, and inaccurate beliefs about abortion, leading to mistreatment of people who provide, have had, or are seeking abortions. Abortion stigma is a shared understanding among a group of people or society that abortion is morally wrong and/or socially unacceptable. It is present all over our society in government and politics, media and pop culture, schools, hospitals, religious institutions, and the conversations we have with family and friends.

### **What is self-managed abortion?**

A self-managed abortion (SMA) is the process of inducing an abortion on one's own, usually without medical supervision or guidance from a medical professional.

### **Is self-managed abortion a crime?**

Attempting to self-manage an abortion using medication is generally safe, but can be legally risky. In nearly all states, there is no law against self-managed abortion, and the few laws that exist are arguably unconstitutional. In some states abortion laws explicitly exclude the person having the abortion from liability. Yet, people who have been accused of self-managing their abortions or who have experienced pregnancy loss, like miscarriage and stillbirth, have been prosecuted using a variety of other charges. Self-managing an abortion can be a safe and effective method to end a pregnancy, and criminalizing those who do it out of a desire to punish people makes it harder for those who are already disproportionately impacted by barriers to abortion care—particularly people of color, undocumented immigrants, formerly incarcerated people, and trans and gender non-conforming people.

### **Do medical providers have a responsibility to report incidents of self-managed abortion to law enforcement?**

No, medical providers are never required to report incidents of self-managed abortion to law enforcement. People are under no obligation to disclose their abortion to medical providers (medications used to self-manage an abortion metabolize quickly and cannot be detected via testing), and medical providers are not required to report self-managed abortions disclosed to them. In fact, reporting to law enforcement could criminalize the person seeking medical care or put their immigration status in jeopardy.

