



Lawyering for
Reproductive
Justice

MEDIA ALERT: Self-Managed Abortion, the Law, and COVID19

Please join If/When/How's Executive Director Jill E. Adams, J.D., board-certified OB-GYN and reproductive justice advocate Dr. Jamila Perritt, M.D., M.P.H., and the National Network of Abortion Funds' Executive Director Yamani Hernandez for a press briefing at 12pm ET this Thursday, April 2nd on how we can keep our communities safe during the COVID-19 crisis by protecting people who self-manage their abortions, giving medical providers and legal officials the essential information they need about self-managed care and decriminalizing self-managed abortion once and for all. Please RSVP [here](#).

Due to the coronavirus crisis, community interventions to keep it from spreading, and heightened barriers to clinical abortion care, more people will need to self-manage their abortions at home. They must be able to take care of themselves right now and contribute to flattening the curve without fear of policing and prosecution. Now more than ever, the public, politicians, law enforcement officials, and medical providers need to be clear on the facts about self-managed abortion and the law.

What's different about self-managed abortion during the coronavirus crisis?

- "Self-managed abortion" means ending your own pregnancy, without a doctor or other health care provider, and more people than usual likely need to practice it during the crisis.
- Accessing clinical care is harder than ever, especially for people who already face barriers to abortion because of their age, immigration status, income level, geography, or other marginalized identities and experiences.
- Even people who otherwise face fewer barriers to abortion may need to self-manage their care during this time because they cannot safely travel to a clinic -- they may be quarantined themselves, caring for quarantined people, or caring for homebound children and loved ones.
- Some anti-abortion politicians are exploiting the coronavirus crisis by attempting to ban or suspend clinical abortion care, and threaten clinical providers with legal action, jail time, or fines.
- During times of heightened societal fear, suspicion, and stress, overzealous prosecutors, law enforcement officials, and anti-abortion politicians may -- more than usual -- rely on a racist, classist criminal legal system to target people for their pregnancy outcomes.
- International postal delivery may be slowed, interrupted, or suspended as countries around the world enact safety measures, affecting the distribution of abortion medication.

Self-managed abortion and the law

- Everywhere in the United States, people have the constitutional right to abortion — even during the coronavirus crisis. Five states still have laws on the books that criminalize self-managed abortions, putting people at risk of prosecution even though such laws are unconstitutional.
- Even in states that have no laws about self-managed abortion, politically-motivated police and prosecutors may try to misuse other criminal laws to target people who self-manage abortion.
- People targeted by police on suspicion of self-managing their abortions have the [same rights](#) as anyone else — to remain silent, to get legal counsel or have counsel appointed for them if they cannot afford an attorney, to be protected from unlawful search and seizure, and to record their interactions with law enforcement.

Self-managed abortion and backup clinical care

- Self-managing abortion with [pills](#) can be [safe and effective](#) so long as people have access to accurate information and confidential backup medical care in the event it's needed.
- People who self-manage their abortions have [no obligation](#) to disclose this to medical providers should they seek clinical care.
- Medical providers have [no obligation](#) to report patients who they believe may have self-managed their abortions to anyone, including law enforcement officials. In fact, medical providers may violate state and federal medical privacy laws if they do so.

Resources for people who self-manage abortion

- [If/When/How's Repro Legal Helpline](#): For anyone who has been questioned by the authorities on suspicion of self-managing their abortion or supporting someone else to self-manage abortion, or who fear they will be questioned, can get free, confidential legal support [online](#) or by calling 844-868-2812.
- [Miscarriage & Abortion Hotline](#): Operated by doctors who can offer expert medical advice. Available [online](#) or at 1-833-246-2632.
- [SASS \(Self-Managed Abortion; Safe and Supported\)](#): A project of Women Help Women which supports the rights of people around the world to have information about and access to safe abortion with pills.
- [World Health Organization protocols on medication abortion care](#): Information about pills that can be used to end a pregnancy.

Public actions to decriminalize self-managed abortion

- [Sign the petition](#) to decriminalize self-managed abortion: **repeal** criminal laws targeting people who self-manage abortion, **reform** laws to prevent misuse by prosecutors, and **reinforce** existing protections for abortion rights to include freedom from criminalization.
- Lawyers can sign on to If/When/How's [open letter](#) from attorneys opposing the criminalization of self-managed abortion.
- Legal advocates and graduating law students can [sign up](#) for If/When/How's volunteer lawyers network to shield and defend people criminalized for ending their own pregnancies.

More about If/When/How, who we assist, and our thought leadership on self-managed abortion

- [If/When/How: Lawyering for Reproductive Justice](#) defends people who are criminalized for ending their own pregnancies; offers legal support to people who have questions about self-managed abortion; and provides resources and legal support so that their loved ones, community-based providers, and activists are not ensnared in the criminal legal system for supporting self-managed abortion.
- [Roe's Unfinished Promise](#) (and the report's [2019 update](#)) is the first comprehensive paper on the criminalization of non-clinical abortion in the United States and efforts to eliminate threats, while increasing protections, for people who end pregnancies outside the formal healthcare system.
- If/When/How Senior Counsel Farah Diaz-Tello's 2017 [Report to the UN Working Group on Discrimination Against Women in Law and in Practice](#) (and [2019 update](#)) covering looming threats to reproductive freedom, including the myth, perpetuated by abortion opponents, that criminalization of abortion only affects health care providers and does not put pregnant people at risk.
- If/When/How's [amicus brief](#) filed in *June Medical v. Russo* argues that Louisiana's abortion restrictions place people at risk of criminalization by falsely portraying abortion as unsafe and illicit while pushing people to self-manage abortions as clinics across the state are shuttered.