

Unconstitutional denial of abortions and right to privacy: female inmates in the United States

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In the United States, female prisoners are suffering from non-enforcement of abortion laws. Findings from a nationwide inquiry involving dozens of corrections departments demonstrate enforcement problems. Under *Roe v. Wade*, all women possess a right to terminate pre-viability pregnancies. Abortion is protected by the right to privacy. Some states controversially have required minors to attain parental consent prior to receiving abortive services. Adult women cannot be required to seek spousal consent. Recent findings and analyses establish the following: 1) many departments have abortion policies that are vacant; 2) some departments fail to disclose their abortion policies and procedures to the public via the internet to obscure

their practices and lack of compliance with the law; 3) almost all departments are silent as to whether female inmates are allowed to choose how to abort (e.g., surgical or medication); 4) corrections departments fail to pay for inmates' abortions, which they consider to be elective procedures, even in cases of inmate rape; and 5) inmates are subjected to humiliation when their relatives are notified of their pregnancies because departments require inmates' families to pay for abortions and deposit commissary money, typically between \$400 and \$700. These findings prove widespread and detrimental infringements on the Constitutional rights of female inmates in America.

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