



Teenage Women, Abortion, and the Law

Fact: Each year, one million American teenagers become pregnant, and 78% of these pregnancies are unintended.

Four in every five Americans begin having intercourse before age 20. Many of the youngest women in this group (70% of those age 13 or under) report having had sex forced on them. By the time they turn 20, about 40% of American women have been pregnant at least once. Many of these young women have little understanding of their bodies and have begun having sexual intercourse before knowing about ways to prevent pregnancy.

Because teens in other developed countries receive more education about sexuality and have more access to contraception and family planning services, they have much lower rates of pregnancy and abortion. For example, in the Netherlands, where teenage sexual activity is about the same as in the U.S., pregnancy rates are only one-ninth those of the United States.

Fact: Of teenage women who become pregnant, about 35% choose to have an abortion rather than bear a child.

Teenagers with unplanned pregnancies face difficult choices. If a teen gives birth and keeps the baby, she will be much more likely than other young women to:

- drop out of school;
- receive inadequate prenatal care;
- rely on public assistance to raise her child;
- develop health problems; or
- have her marriage end in divorce.

Children born to teenage mothers are more likely than children of older mothers to suffer significant disadvantages: medical, psychological, economic, and educational.

Many states have enacted, or are considering, laws that restrict teenagers' access to abortion by requiring parental involvement in the abortion decision. Such laws include:

- Parental notification laws that require medical personnel to notify a minor's parent(s) of her intention to obtain an abortion;
- Parental consent laws that require medical personnel to obtain written permission from the parent(s) before providing an abortion;
- Almost all of the parental notification and consent laws have judicial bypass options that allow a teen who feels she cannot involve her parent(s) to get a judge's permission to proceed with her abortion. Some states allow a physician to waive parental involvement, and some allow professional counseling instead of parental involvement.

Fact: Restrictive abortion laws may worsen family communication rather than promote it.

Abortion providers encourage teenagers to tell a parent or another important family member about their plans, and most teens do. Even without state laws, one or both parents of 61% of minors know about their daughters' abortions. The younger the teen, the higher the likelihood that she has told her mother about the situation.

Those young women who do not or cannot tell their parents, however, often have important reasons such as a family history of alcoholism, emotional or physical abuse, or incest. To involve such parents could invite further abuse of the teenager and other family members.

Rather than tell their parents - for whatever reason - some teenagers resort to unsafe, illegal abortions or try to perform the abortion themselves. In doing so, they risk serious injury and death, or, in some cases, criminal charges.

Fact: Restrictive laws endanger teens' health by inhibiting them from seeking safe medical care early in pregnancy.

Doctors recommend that when a woman becomes pregnant - whether she plans to give birth or have an abortion - she seek medical care immediately. In the case of abortion, her risk is lowest if she seeks care in the early weeks of pregnancy.

By placing roadblocks in teenagers' paths, restrictive laws have the effect of creating further delays among women who already have difficulty seeking prompt care. When teens know that health care providers are forced by law to tell their parents before providing services, they are less willing to get health care related to sexual activity.

Fact: Judicial bypass presents a formidable obstacle to those who need it most.

Going to court is usually intimidating to even the most sophisticated adults, who generally have an attorney to represent them. For a pregnant teen to use judicial bypass, she must not only find a judge, she must work her way through a confusing legal system and face intense, sometimes judgmental, and often traumatic questioning by strangers.

Indeed, the poorest, youngest, least experienced teenagers are least able to use judicial bypass, and thereby become the most likely to end up becoming teen parents or victims of black-market abortion.

Fact: Judicial bypass substitutes the judge's values for the family's.

According to judicial bypass laws, a judge should decide whether the young woman is mature enough to make the decision to have an abortion, or whether it is in her best interests not to involve her parents. They do not address how this young woman will be able to make parental decisions for a child of her own if she is legally barred from making them for herself.

Restrictive laws give judges the power to say no to a teen's private decision to have an abortion. In response, she may feel forced to have a baby against her wishes; her parents may turn their backs on her or force her out of their home; or she might run away from home to face her pregnancy alone. Some teens may resort to a secret, unsafe, illegal, or self-induced abortion if her way to a confidential, legal abortion is blocked.

Any additional state laws restricting abortion (such as mandatory waiting periods between abortion counseling and

abortion procedures) are doubly burdensome for teenage women who have fewer resources, less privacy, and less ability to meet all the requirements. All such restrictions to a woman's access to safe and legal abortion rob her of her ability to take control of her life.

Fact: Laws restricting teen access to abortion are coercive.

Laws in 46 states and the District of Columbia allow mothers who are under 18 to place their children for adoption without involving their parents, but many of those same states require parental notification or consent before these young women can obtain abortions. This sets up a standard that clearly favors one resolution over another, restricts the reproductive choices of young women, and forces some to bear children that they do not want to bear.

For More Information

For information or referrals to qualified abortion providers, call the National Abortion Federation's toll-free hotline: 1-800-772-9100.
Weekdays: 8:00A.M. - 9:00P.M.
Saturdays: 9:00A.M. - 5:00P.M. Eastern time.

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