**Racial Coercion and Control Over Reproductive Decision-Making and Families:**

**Shadow Report One Page Summary [[1]](#footnote-1)**

In the United States, gender and the capacity to become pregnant intersect with race to create distinct forms of racial discrimination in the context of pregnancy, childbirth and parenting.

***Criminalization for abortions and pregnancy loss*.** From 2005 to 2020, there were approximately 1,300 arrests and other deprivations of liberty targeting people who were suspected of having abortions or blamed for adverse pregnancy outcomes like miscarriages or stillbirths. Prosecutions reflect negative stereotypes about Black and Indigenous fitness to parent and Asian cultures’ attitudes about gender. In addition, birthing people of color are at greater risk for arrest because they are more likely to have adverse birth outcomes and experience surveillance and over-policing generally. (Rpt. p. 2-4)

* In Florida, Black people are 15% of the population, and 75% of pregnancy-related arrests. In South Carolina, Black people are 30% of the population, and 74% of pregnancy-related arrests. (Rpt. p.3)
* Arrests have included a woman charged with murder after experiencing a stillbirth, a woman prosecuted as an accomplice when she lost her pregnancy after being shot in the stomach, and a woman charged with feticide and child neglect for ending a pregnancy using medications purchased online. (Rpt. p. 2-4)

***Separation of Families.*** In the United States, there are stark racial disparities in removal of children from their families and placement in foster care. Ingrained social attitudes rooted in slavery and colonialism about poor, Black and Indigenous parents and the desire to impose middle-class norms and white standards of behavior continue to impact how families are treated. (Rpt. p. 9)

* In 2021, the foster care rate for Black children was 1.66 times their proportion of the national population and the rate for Indigenous children was 2.84 times their proportion of the national population. (Rpt. p. 8)
* Studies show that racial bias influences reports of abuse and neglect, and racial disparities compound at every point where decision-makers exercise discretion. (Rpt. p. 10)
* Disparities are also driven by disproportionate surveillance and drug testing of Black and Latinx families and a one-size-fits-all, zero tolerance approach to drug or alcohol use without an assessment of actual risk to children. (Rpt. p. 11-12)

***Obstetric Violence*.** Racial disparities in maternal outcomes are inextricably linked to obstetric violence against pregnant people during birth. Obstetric violence includes mistreatment and coercion in care.

* The Black and Indigenous birthing experience reflects health disparities that begin before pregnancy. These factors are exacerbated by harmful interactions with providers and non-inclusive practices. (Rpt. p. 14-15)
* Obstetric violence can include withholding information and options, policies that restrict care options, verbal abuse, threats and violent or unconsented procedures. Providers often compel assent to interventions through threats, including court intervention, reports to child protective services for “abuse or neglect of a fetus” and withholding of pain medication. (Rpt. p. 13, 15)
* Black birthing people are disproportionately tested for criminalized drugs, often without their knowledge or consent. In addition to violating their rights, this undermines trust in health care professionals and turns people away from prenatal care. (Rpt. p. 16)

1. For more information and recommendations, see the full shadow report *Racial Coercion & Control Over Reproductive Decision-Making & Families.* For questions, please contact cynthia.soohoo@law.cuny.edu [↑](#footnote-ref-1)