

State Abortion Bans Harm More than 15 Million Women of Color

Dobbs Impact Felt Nationwide

By Katherine Gallagher Robbins, Shaina Goodman and Josia Klein

JUNE 2023

The decision to become a parent is deeply personal and profound. It has implications for a person's health and well-being, and is one of the most economically consequential choices of a person's life. Having a child impacts one's education, earnings and economic security — and being able to plan if and when to have a child is an essential aspect of planning for one's economic security and future.¹ Yet one year after *Dobbs v. Jackson Women's Health Organization*, millions of people in the United States no longer have full control over their futures.

One year after *Dobbs*, 26 states have already banned or are soon likely to ban abortion.² Important work by In Our Own Voice and Planned Parenthood on the eve of *Dobbs* showed half of women of reproductive age,³ including millions of women of color, lived in such states.⁴ Now National Partnership for Women & Families analysis shows that one year after *Dobbs* more than 36 million women of reproductive age live in states that have or are likely to ban abortion. Of these women:

- 2.9 million are disabled women;⁵
- 12.5 million are women who are economically insecure;⁶

The Impact of *Dobbs* on Transgender and Nonbinary People

The 1.3 million transgender adults and 1.2 million LGBTQ nonbinary adults in the U.S. are deeply impacted by *Dobbs*.^{*} Many transgender and nonbinary people can become pregnant and are directly impacted by this ruling. The harms are more severe for transgender and nonbinary people of color, those who are disabled, and others who are members of multiply marginalized communities.

More broadly, the *Dobbs* ruling is deeply rooted in stereotypes about gender — and transgender and nonbinary people are extraordinarily impacted by these harmful biases, including through difficulty accessing gender-affirming medical care.

- 15.8 million are mothers with children under 18 at home;⁷ and
- 400,100 are veterans.

We find that 15.4 million reproductive-age women of color live in these 26 states⁸ and provide state-by-state breakdowns for these women, who include:

- 6.7 million Latinas;
- 6.0 million Black women;
- 283,700 Native American women;
- 1.3 million Asian women;
- 37,300 Pacific Islander women; and
- 1.1 million multiracial women.

While people from all communities are harmed by these abortion bans, we find that women veterans, disabled women and women who are economically insecure are disproportionately likely to live in these states. We also find that Black and Native American women are the most likely to live in these 26 states, while Latinas are the largest group of women of color harmed by bans.

Women of Reproductive Age Living in States That Have Banned or Are Likely to Ban Abortion One Year after <i>Dobbs</i>			
	Total Number in the Ban/Likely Ban States	Total in the U.S.	Share of Community in the Ban/Likely Ban States
All women	36,248,600	74,961,100	48.4%
Mothers	15,833,800	31,578,800	50.1%
Women who are economically insecure	12,472,900	23,303,800	53.5%
Women veterans	400,100	726,100	55.1%
Disabled women	2,871,500	5,495,300	52.3%
Latinas	6,695,600	15,532,300	43.1%
Black, non-Hispanic women	5,952,400	10,124,000	58.8%
Asian, non-Hispanic women	1,309,200	5,011,300	26.1%
Pacific Islander, non-Hispanic women	37,300	138,300	27.0%
Native American, non-Hispanic women	283,700	466,400	60.8%
Multiracial, non-Hispanic women	1,060,200	2,506,900	42.3%

Source: Authors' calculations using 2017-2021 American Community Survey 5-Year Estimates via IPUMS. Figures are for women aged 15-49. See methodological note for additional information.



For people in these states who become pregnant, the stakes have become dramatically higher. In the last year, thousands of women and pregnant people have not been able to have the abortions they sought, with significant negative consequences for their lives, plans, health and economic security.⁹ Layered onto the confusion about the legality of care and logistical barriers to access, pregnant people are more anxious than ever about the privacy of their personal health information and face heightened risks of criminalization.¹⁰ This is especially true for Black women and other women of color, who

were already more likely to be subject to disturbing levels of surveillance and overcriminalization.

Providers, too, fear running afoul of abortion bans, and have been placed in the untenable position of having to provide less than the standard of care¹¹ — or stop providing pregnancy care altogether.¹² People with desired pregnancies are also harmed by abortion bans due to delayed or denied necessary care for significant pregnancy complications.¹³ This is especially egregious in light of this country's worsening maternal mortality and morbidity crisis.¹⁴ The consequences are especially devastating for Black, Indigenous and disabled women, who are significantly more likely to die from pregnancy-related causes.¹⁵

Dobbs is a decision about access to essential healthcare, but it is also about much more than that. It is, at its core, a decision deeply rooted in sexism, racism,¹⁶ ableism and eugenics;¹⁷ it is about autonomy and the role that women and people who can become pregnant play in our society. It is a decision about their futures and possibilities, their opportunities and dreams. It has already had an enormous impact on every aspect of their lives, health and well-being. And it will continue to have especially significant effects on pregnant people, especially those in marginalized communities, including women of color, disabled women, transgender and nonbinary people and people living at the intersection of these identities.

In the year since *Dobbs*, some policymakers have taken important steps to protect people who can become pregnant. For example, the state of Michigan repealed its "extreme 1931 abortion ban"¹⁸ and the Department of Veterans' Affairs announced access to abortion counseling and in some cases abortion for veterans and their beneficiaries.¹⁹ But much work remains. We call on state and federal policymakers to do everything in their power to protect and expand abortion access. Doing so requires fixing the parts of our systems that are currently broken *and* reimagining new policies that center the people who are most affected by abortion restrictions and reproductive oppression.

Women of Reproductive Age Living in States That Have Banned or Are Likely to Ban Abortion One Year after *Dobbs*

	All women	Mothers	Women who are economically insecure	Women veterans	Disabled women
Alabama	1,129,400	479,700	426,800	15,000	108,500
Arizona	1,572,400	673,900	540,900	16,900	117,700
Arkansas	671,100	311,500	272,300	6,100	71,500
Florida	4,548,700	1,827,300	1,562,300	54,100	308,600
Georgia	2,547,200	1,080,700	855,300	37,100	185,500
Idaho	402,000	190,100	139,000	3,600	34,500
Indiana	1,520,400	678,700	496,100	10,600	130,800
Iowa	689,400	318,100	208,300	5,100	50,600
Kentucky	996,200	446,000	365,100	9,800	112,000
Louisiana	1,062,800	464,800	437,600	11,600	98,200
Mississippi	678,300	307,400	296,500	7,400	71,400
Missouri	1,362,100	599,600	448,700	11,900	116,600
Montana	227,000	94,300	75,900	3,800	18,600
Nebraska	432,500	201,200	128,800	5,200	30,600
North Carolina	2,382,900	1,011,400	804,500	31,200	172,800
North Dakota	171,000	79,200	46,500	-	10,800
Ohio	2,592,200	1,139,100	849,500	19,600	229,600
Oklahoma	887,500	406,900	338,600	11,200	92,000
South Carolina	1,133,200	486,000	403,400	16,200	90,300
South Dakota	184,500	86,300	57,200	-	12,400
Tennessee	1,563,200	674,000	550,800	16,400	141,600
Texas	6,929,500	3,145,000	2,405,500	84,100	464,200
Utah	795,200	362,600	214,600	4,100	57,600
West Virginia	375,000	157,600	151,700	3,000	44,400
Wisconsin	1,272,500	554,800	360,100	10,100	91,200
Wyoming	122,500	57,700	36,900	-	9,600
Total	36,248,600	15,833,800	12,472,900	400,100	2,871,500

Source: Authors' calculations using 2017-2021 American Community Survey 5-Year Estimates via IPUMS. Figures are for women aged 15-49. Some figures are unavailable due to small sample sizes. Totals include women from all 26 states. See methodological note for additional information.



Reproductive Age-Women of Color Living in States That Have Banned or Are Likely to Ban Abortion One Year after *Dobbs*

	All women	Latinas	Black, non-Hispanic women	Asian, non-Hispanic women	Pacific Islander, non-Hispanic women	Native American, non-Hispanic women	Multiracial, non-Hispanic women
Alabama	1,129,400	52,500	338,700	19,400	-	3,900	25,300
Arizona	1,572,400	585,600	73,000	63,800	2,900	65,800	55,000
Arkansas	671,100	60,500	115,800	14,100	-	4,100	23,600
Florida	4,548,700	1,381,600	817,900	157,300	2,700	6,700	132,500
Georgia	2,547,200	266,700	884,300	126,000	-	3,200	69,100
Idaho	402,000	59,600	-	7,000	-	3,800	14,500
Indiana	1,520,400	125,400	159,200	48,000	-	1,800	42,200
Iowa	689,400	50,700	29,200	24,500	-	2,000	18,700
Kentucky	996,200	41,100	84,900	20,500	-	-	27,500
Louisiana	1,062,800	56,800	366,500	22,100	-	5,200	28,400
Mississippi	678,300	22,900	282,400	8,200	-	3,000	11,100
Missouri	1,362,100	69,400	175,800	36,600	-	3,900	45,000
Montana	227,000	11,300	-	3,400	-	14,200	9,500
Nebraska	432,500	54,900	22,100	14,900	-	3,400	12,700
North Carolina	2,382,900	258,700	550,700	89,700	-	24,500	74,500
North Dakota	171,000	7,900	6,800	4,200	-	9,000	5,600
Ohio	2,592,200	121,100	347,300	81,700	-	2,500	90,000
Oklahoma	887,500	108,600	67,700	26,300	-	70,800	70,800
South Carolina	1,133,200	74,400	329,100	23,400	-	2,600	27,700
South Dakota	184,500	8,000	-	3,800	-	17,000	6,500
Tennessee	1,563,200	96,800	289,100	37,300	-	2,100	40,800
Texas	6,929,500	2,931,100	889,400	397,400	5,700	14,500	155,600
Utah	795,200	120,400	8,400	22,600	7,200	7,300	24,300
West Virginia	375,000	7,500	12,800	4,000	-	-	9,700
Wisconsin	1,272,500	108,400	91,700	51,500	-	8,000	36,400
Wyoming	122,500	13,700	-	-	-	3,000	3,100
Total	36,248,600	6,695,600	5,952,400	1,309,200	37,300	283,700	1,060,200

Source: Authors' calculations using 2017-2021 American Community Survey 5-Year Estimates via IPUMS. Figures are for women aged 15-49. Some state figures are unavailable due to small sample sizes. Totals include women from all 26 states. See methodological note for additional information.



Methodological note: This analysis uses the 2017-2021 American Community Survey accessed via IPUMS USA, University of Minnesota, www.ipums.org. We use a five-year dataset to have a sufficient sample size to analyze state-level data. Racial categories in this analysis exclude women who identify as Latina and/or Hispanic, who are analyzed separately. Not all women of reproductive age have the potential to become pregnant — many of them may not be able to for medical reasons or they may not participate in sexual activities that could result in pregnancy. Additionally, due to data limitations, this analysis does not include people who do not identify as women but may become pregnant, including transgender men and nonbinary people.

**For conservative estimates of the transgender and nonbinary populations see Herman, J. L., Flores, A. R., & O'Neill, K. K. (2022, June). *How Many Adults and Youth Identify as Transgender in the United States?* Retrieved 6 July, 2022 from Williams Institute, UCLA School of Law website: <https://williamsinstitute.law.ucla.edu/publications/trans-adults-united-states/>; Wilson, B., A., M., & Meyer, I. H. (2021, June). *Nonbinary LGBTQ Adults in the United States*. Retrieved 6 July 2022 from Williams Institute, UCLA School of Law website: <https://williamsinstitute.law.ucla.edu/press/lgbtq-nonbinary-press-release/>. Figures for LGBTQ nonbinary adults are for people ages 18-60. The transgender and nonbinary communities are not mutually exclusive. For example, the Williams Institute finds that 42 percent of LGBTQ nonbinary adults identify as transgender. Additionally, the transgender community includes people who identify as men and women, as well as nonbinary. There are also additional nonbinary people who do not identify as LGBTQ, as well as those under the age of 18 and over 60.*

The authors are grateful to Jaclyn Dean, Marissa Ditekowsky, Llenda Jackson-Leslie and Mettabel Law for their review and thoughtful comments.

¹ Frye, J. (2022, July 1). “The Overturning of ‘Roe’ Ignores Economic Realities for Pregnant people.” *Fast Company*. Retrieved 6 July 2022, from <https://www.fastcompany.com/90765813/pov-the-overturning-of-roe-ignores-economic-realities-for-pregnant-people>

² We classify a state as having banned or being likely to ban abortion if they meet at least one of the following criteria: (1) there is “trigger” ban that took effect post-*Dobbs*; (2) they have gestational limits banning abortion between six and twenty weeks; (3) there is an abortion ban with legal challenges pending in state courts; and (4) there have been significant legislative attempts to ban abortion, even if such attempts have not yet resulted in a ban or a state court has overturned a ban. As of the publication date of this analysis, these states are Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, West Virginia, Wisconsin, and Wyoming. See Nash, E. & Guarnieri, I. (2023, January 10). *Six Months Post-Roe, 24 States Have Banned Abortion or Are Likely to Do So: A Roundup*. Retrieved 2 June, 2023, from Guttmacher Institute website: <https://www.guttmacher.org/2023/01/six-months-post-roe-24-us-states-have-banned-abortion-or-are-likely-to-do-so-roundup>; The New York Times (2023, May 26). *Tracking the States Where Abortion Is Now Banned*. Retrieved 2 June 2023, from New York Times website: <https://www.nytimes.com/interactive/2022/us/abortion-laws-roe-v-wade.html> for additional details regarding specific states.

³ While people of many ages can become pregnant, in this analysis we use ages 15-49 to align with the Guttmacher Institute (see Guttmacher Institute. (2020, July). *Investing in Sexual and Reproductive Health in Low- and Middle-Income Countries*. Retrieved 29 June 2022, from Guttmacher Institute website: <https://www.guttmacher.org/fact-sheet/investing-sexual-and-reproductive-health-low-and-middle-income-countries>), the World Health Organization (see World Health Organization. (n.d.). *Maternal, Newborn, Child and Adolescent Health and Ageing Data Portal*. Retrieved 29 June, 2022 from World Health Organization website: <https://www.who.int/data/maternal-newborn->

[child-adolescent-ageing/indicator-explorer-new/mca/women-of-reproductive-age-\(15-49-years\)-population-\(thousands\)\),](#) and others.

⁴ In Our Own Voice and Planned Parenthood. (2021, October 1). *Red Alert: Abortion Access is at Stake for Nearly Half of U.S. Women and People Who Can Become Pregnant*. Retrieved 27 June 2022, from Planned Parenthood website: https://www.plannedparenthood.org/uploads/filer_public/8e/24/8e241a38-af52-4c89-b299-5a02c0453adf/210927-2021-red-alert-report-english-v4.pdf. Due to data limitations, the data in this paper only analyze people who identify as women, though people who do not identify as women may also become pregnant.

⁵ People are identified as having a disability in this analysis if they responded that they have difficulty in one or more of the following realms: vision, hearing, cognitive, ambulatory, self-care and independent living. This is a limited definition of disability that excludes a portion of disabled people. For more information on how disability is measured in the American Community Survey please see, U.S. Census Bureau. (2021, November 2). *How Disability Data are Collected from The American Community Survey*. Retrieved 29 June 2022 from U.S. Census Bureau website: <https://www.census.gov/topics/health/disability/guidance/data-collection-acr.html>.

⁶ While people across the income spectrum may have difficulty making ends meet, in this analysis we define “economically insecure” as living in a family below 200 percent of the federal poverty line.

⁷ This analysis defines “mother” as having at least one own child (including step, adopted, or biological) under the age of 18 in the household. Due to data limitations, there are mothers who are not included in this definition, including those who have non-resident or older children or those whose children have passed away.

⁸ White, non-Hispanic women are also impacted by the *Dobbs* decision; more than 20.8 million white, non-Hispanic women of reproductive age live in states that have or are very likely to ban abortions – 50.8 percent of all white, non-Hispanic women ages 15-49.

⁹ Advancing New Standards in Reproductive Health, University of California San Francisco. (n.d.). *The Harms of Denying a Pregnant Woman a Wanted Abortion: Findings from the Turnaway Study*. Retrieved 7 June 2023, from https://www.ansirh.org/sites/default/files/publications/files/the_harms_of_denying_a_woman_a_wanted_abortion_4-16-2020.pdf

¹⁰ Pregnancy Justice. (2022, July). *Confronting Pregnancy Criminalization: A Practical Guide for Healthcare Providers, Lawyers, Medical Examiners, Child Welfare Workers, and Policymakers*. Retrieved 7 June 2023, from <https://www.pregnancyjusticeus.org/wp-content/uploads/2022/12/202211-PJ-Toolkit-Update-2.pdf>

¹¹ Grossman D, Joffe C, Kaller S, Kimport K, Kinsey E, Lerma K, Morris N, White K. (2023). *Care Post-Roe: documenting cases of poor-quality care since the Dobbs decision*. Retrieved 7 June 2023 from Advancing New Standards in Reproductive Health (ANSIRH), University of California, San Francisco website: <https://www.ansirh.org/sites/default/files/2023-05/Care%20Post-Roe%20Preliminary%20Findings.pdf>

¹² Musa, A., & Bonifield, J. (2023, April 7). *Maternity Units are Closing Across America, Forcing Expectant Mothers to Hit the Road*. *CNN*. Retrieved 7 June 2023, from <https://www.cnn.com/2023/04/07/health/maternity-units-closing/index.html>

¹³ See note 11.

¹⁴ Hoyert, D.L. (2023) *Maternal Mortality Rates in the United States, 2021*. Retrieved 7 June 2023, from Centers for Disease Control and Prevention website <https://www.cdc.gov/nchs/data/hestat/maternal-mortality/2021/maternal-mortality-rates-2021.htm>

¹⁵ National Institutes of Health. (2021). *NIH Study suggests women with disabilities have higher risk of birth complications and death*. [Press release]. Retrieved 7 June 2023, from, <https://www.nih.gov/news-events/news-releases/nih-study-suggests-women-disabilities-have-higher-risk-birth-complications-death>; See note 14.

¹⁶ Mhatre, N. (2019, April 25). *Abortion Restrictions Hurt Women of Color*. Retrieved 27 June 2022 from National Partnership for Women & Families website <https://www.nationalpartnership.org/our-impact/blog/general/abortion-restrictions-hurt-women-of-color.html>. For a detailed discussion of the racist roots of reproductive restrictions, see Ross, L.J. *The Color of Choice: White Supremacy and Reproductive Justice*. SisterSong Publication. Retrieved 29 June 2022 from https://www.law.berkeley.edu/php-programs/centers/crrj/zotero/loadfile.php?entity_key=2K2QA27B

¹⁷ National Public Radio. (2016, March 7). The Supreme Court Ruling that Led to 70,000 Forced Sterilizations. Retrieved 7 June 2023, from <https://www.npr.org/sections/health-shots/2016/03/07/469478098/the-supreme-court-ruling-that-led-to-70-000-forced-sterilizations>

¹⁸ State of Michigan. (2023). Governor Whitmer Repeals Michigan’s Extreme 1931 Abortion Ban. [Press release]. Retrieved 7 June 2023, from, <https://www.michigan.gov/whitmer/news/press-releases/2023/04/05/governor-whitmer-repeals-michigans-extreme-1931-abortion-ban#:~:text=Governor%20Whitmer%20Repeals%20Michigan's%20Extreme%201931%20Abortion%20Ban,-News&text=LANSING%2C%20Mich.,doctors%20for%20doing%20their%20jobs>

¹⁹ Department of Veterans Affairs. (2022). *VA will offer abortion counseling and – in certain cases – abortions to pregnant Veterans and VA beneficiaries.* [Press release]. Retrieved 7 June 2023, from, <https://news.va.gov/press-room/va-will-offer-abortion-counseling-and-in-certain-cases-abortions-to-pregnant-veterans-and-v-a-beneficiaries/>