

MAKING CHOICES:

A WOMAN'S GUIDE TO CHOOSING ABORTION FROM BEHIND THE BARS OF DCDC

Some women come into the corrections system already pregnant. Some women get pregnant inside the system. All women have the right to decide whether to have a baby or have an abortion. The fact that you are in jail does not change the fact that you have a right to decide what you want to do. In DC, you have the right to decide what you want to do even if you are under 18 years old. You have the right to choose abortion up until about the 6th month of your pregnancy. You should know that an abortion is less complicated in the first 3 months of pregnancy, so do not delay.

This decision is your decision, and your decision alone, not the Department of Corrections', not the guards' -- just yours.

You may be told that you cannot have an abortion if you cannot pay for it. That is not true. The District must pay for your abortion if you are pregnant as the result of rape or incest. Also, the District must pay for your abortion if your life is threatened from the pregnancy. *If you are pregnant because you had sex with a guard, that will be considered rape under the laws of DC.*

Finally, you must be provided with options if you have no way to pay for the procedure yourself. **Even if you cannot get the District to pay for your abortion, there is money available in the community to pay for it.** D.C. Prisoners' Legal Services Project can help you with this.

TERMS TO KNOW: KINDS OF ABORTIONS

The regulations and the laws talk about two types of abortion.

- *Elective Abortion (also called a Non-Therapeutic Abortion)* – An abortion that a doctor has not said is medically necessary.
- *Therapeutic Abortion* – An abortion that a doctor has said is necessary to preserve the life or health of the woman.

WHAT MEDICAL STAFF MUST DO

- Medical staff must conform to the policy that states “It is policy of the Center for Correctional Health and Policy Studies, Inc. to ensure that the legal right to therapeutic or elective abortions will not be mitigated by reason of incarceration.”
- Medical staff must not compel, encourage, discourage, or coerce you to either have an abortion or not have an abortion.
- Medical staff must provide you with counseling and assistance in accordance with your wishes.
- Medical staff must confirm your pregnancy.
- Medical staff must not delay your getting an abortion.
- Medical staff must provide you with access to an abortion.

WHAT YOU MUST DO

- You must fill out a sick call or request to go to medical.
- You must state that you want an abortion.
- You must cooperate with the needed tests and counseling.
- You may use an emergency sick call.
- You must fill out a grievance form (IGP form) if you do not receive access to services.
- Do not delay. The time frame is short and if you have to go to court to protect your rights, you will want to do that as soon as possible.
- You can call D.C. Prisoners’ Legal Services Project if you need help. Our phone number is (202) 775-0323. We accept collect calls.

D.C. Prisoners’ Legal Services Project is a non-profit law firm dedicated to protecting the rights of DC prisoners. This informational sheet does not create a lawyer-client relationship and is not intended to replace the advice of a lawyer regarding the specifics of your situation.

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