

WHY ANALYZE MINOR ABORTION ACCESS?

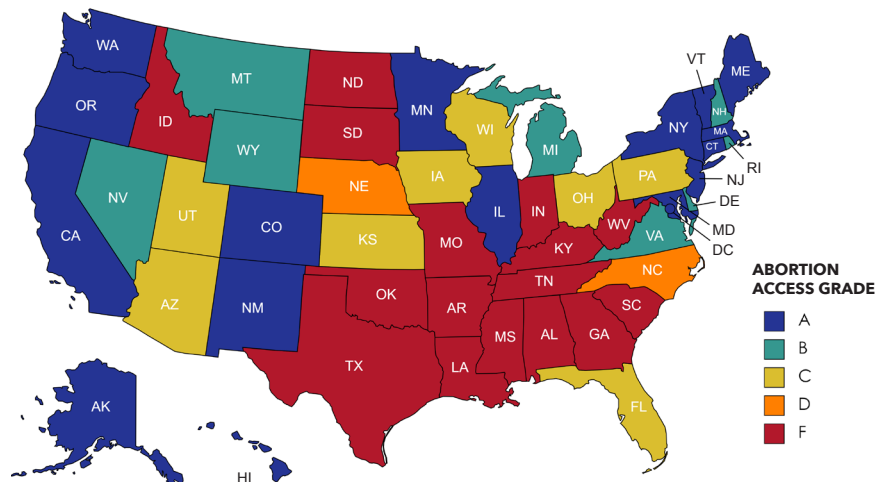
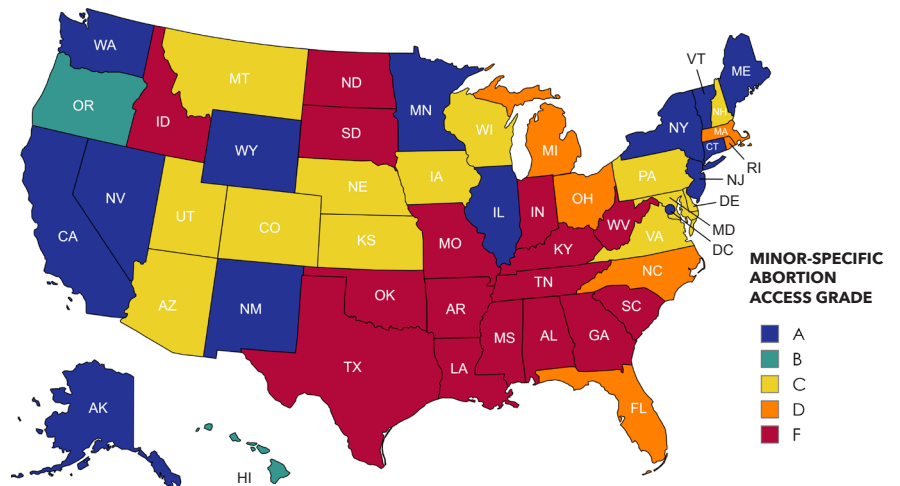
The Supreme Court’s decision overturning *Roe v. Wade* transformed large swaths of the country into veritable abortion deserts, leaving millions of people without access to abortion in their home state. Abortion access for people under 18 (minors) was already restricted in most states before *Dobbs*, and the impact of state abortion bans has fallen most heavily on populations that face systemic barriers to accessing health care, including teens who are less likely to have the means to travel. Minors experience all the burdens and barriers that adult abortion-seekers do, but in many states where abortion remains legal, they must also contend with parental involvement laws. These laws create additional burdens and delays for teens who cannot involve their parents and must go through the judicial bypass process.

The Minor Abortion Access Research and Advocacy Project (MAARAP) documents the barriers that teens in the United States face in accessing safe and affordable abortion care in a post-*Roe* environment. By mapping abortion laws that are specific to minors in all 50 states separately from states’ overall abortion laws, we can see how restrictive the legal landscape is for minors in most of the country. Our minor abortion access grades and legal analysis in the MAARAP report help to identify opportunities for states to eliminate barriers for minors seeking abortion, especially in abortion-protective states.

ASPIRE’S MINOR ABORTION ACCESS MAP

We created a grading system that rates states’ abortion laws from most accessible (A) to least accessible (F) for minors. Factors include if a state has a parental involvement law, the age at which minors can consent to their own abortion, and any logistical barriers created by the state’s judicial bypass system.

States with a generally high abortion access grade may still score poorly for minor access based on how burdensome their parental involvement law is. **Massachusetts, for example, has an A for abortion access on our map that does not include age-specific restrictions, but earns a D for minor access because of its parental consent law and burdensome bypass process for teens under 16.**



Key Findings

Parental involvement laws can put a pregnant teen's health and safety at risk by A) delaying access to time-sensitive abortion care, B) increasing the risk of family violence or other retaliation due to the teen's pregnancy, C) causing stress, fear, and costs associated with having to go to court for judicial bypass if a teen cannot disclose their decision to a parent.

Abortion exceptionalism in the law creates unfair and unnecessary barriers to minors' ability to access abortion. Teens can self-consent to nearly all pregnancy-related decisions except for abortion, even though there's no evidence to support excluding abortion from their self-consent rights. Repealing parental involvement laws would set an equal standard for a teen's right to decide their pregnancy-related medical decisions.

With Roe gone, young people face the risk of additional age-specific legal restrictions, as exemplified by Idaho's first-in-the-nation 'abortion trafficking' law making it a crime to help teens travel to another state for abortion care.

The best path forward for improving abortion access for young people is to eliminate parental involvement laws and to treat abortion the same as other pregnancy-related health care by including it in medical self-consent rights for teens.

- Illinois recently repealed their parental involvement law through a successful legislative advocacy campaign, and state supreme courts in California and New Jersey found parental involvement laws unconstitutional for unfairly singling out abortion from other pregnancy-related medical decisions as the only one to require parental consent.
- Hawaii and Oregon have recently passed legislation that expands the definition of reproductive care for which teens can self-consent to include abortion.
- Advocates in abortion-protective states are in the best position to push for eliminating their parental involvement laws, but advocates in every state can start education campaigns to destigmatize teen abortion access and build support for eliminating these barriers.

MINOR ABORTION ACCESS BY THE NUMBERS

37 states require some form of parental involvement in a minor's decision to have an abortion, while the remaining states never had a parental involvement law or have repealed or invalidated it.

14 states have total or near-total abortion bans and two more have passed 6-week bans, essentially eliminating abortion access for all people in those states.

12 states have a higher grade for overall access than for minor access, indicating opportunities for policy change or legal action to improve abortion access for minors.