Tennessee woman arrested after attempting self-induced abortion

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A Murfreesboro, Tennessee, woman was arrested December 9 for attempting to perform an abortion on herself in September. Anna Yocca, 31 years old, who was 24 weeks into pregnancy at the time, has been charged with first-degree attempted murder and jailed on a $200,000 bond.

Murfreesboro police detective Tommy Roberts told local media that evidence suggested Yocca had drawn a bath, then attempted to "self-abort" her pregnancy using a straightened wire coat hanger.

When profuse quantities of blood poured into the bathwater, she became "alarmed and concerned for her safety," and her boyfriend drove her to the local emergency room at St. Thomas Rutherford Hospital. She was transported from there to St. Thomas Mid-Town in Nashville, where the baby was delivered alive.

The infant weighed only 1.5 pounds at the time of delivery. Hospital staff told local television news stations that Yocca "spoke about wanting to end the pregnancy while in the hospital."

Medical personnel cited in the police report said the child's quality of life "will be forever harmed," likely requiring lifelong care, an oxygen tank, and medication for eye, lung, and heart problems. This assessment was presented by police during a grand jury hearing December 9 in order to obtain an indictment against Yocca and secure her arrest.

Yocca is a low-wage Amazon fulfillment center employee. Jail officials told the Associated Press that they didn't know whether she had a lawyer. She is scheduled to appear in court on December 21.

Murfreesboro police sergeant Kyle Evans portrayed Yocca as selfish and sadistic. "The whole time she was concerned for her health, her safety and never gave any attention to the health and safety of the unborn child," he told the media. "Those injuries will affect this child for the rest of his life, all caused at the hands of his own mother."

Given the lethal attack on a Colorado Springs Planned Parenthood last month by a right-wing anti-abortionist, it is worth noting that the local newspaper, the *Murfreesboro Post*, published Yocca's home address, potentially endangering her.

The "coat hanger abortion" has long been a symbol of the horrendous situation confronting women in the era before the *Roe v. Wade* decision. That such measures are making a comeback is a consequence of systematic efforts to restrict access to abortion in Tennessee and around the country. Many poor and working-class women like Anna Yocca, effectively denied the right to safely terminate an unwanted pregnancy as a result of anti-abortion laws, have been driven to appalling, and tragic, acts of desperation.

Fetal homicide is a crime in Tennessee, as in 37 other states. In 2012, the state passed legislation expanding the definition of "another person" to include fetuses at any stage of development, even as an embryo. Under this expanded definition, anyone found to commit harm to a fetus can be prosecuted the same as if they had committed harm against a living person. The law exempts only "lawful medical or surgical procedures"—i.e., legal abortion, something increasingly out of reach for the working class.

So-called fetal personhood laws open the door to prosecution of pregnant women for all manner of alleged "harm," ranging from failing to follow a doctor's recommendations to consumption of drugs and alcohol, to self-induced abortion. The state's fetal assault law allows a penalty of up to 15 years in prison for fetal harm. Overwhelmingly, and deliberately, the law targets poor women.

The state of Tennessee bans all abortions after the 12th week of pregnancy, and women seeking out services must make two trips to a clinic, 48 hours apart, before they can receive care. The use of telemedicine—a doctor's consultation by phone to prescribe medication to induce abortion—is prohibited in Tennessee. In 2012, the state restricted access to Mifepristone (RU 486), a medication used for non-surgical abortions. Teenagers under the age of 18 are further restricted by the requirement of parental consent for abortion services.

Some two-thirds of all women in the state live in counties without a single abortion provider, according to the National Women's Law Center. The distance to a clinic and the cost of making the trips—arranging for child care, taking days off work, staying in a hotel, and transportation expenses—often is prohibitively expensive even before factoring in the cost of the medical procedure itself.

Public funding in the form of TennCare, the state's Medicaid program, is available only in cases of life endangerment, rape,

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or incest. No health plans offered through the state's Affordable Care Act exchange provide any coverage of abortion.

Similar laws on the books in Texas have resulted in thousands of self-induced abortion attempts, a study from the Texas Policy Evaluation Project found earlier this year. In fact, at least 100,000 women in the state tried to terminate their pregnancies on their own by obtaining the abortion medication misoprostol from the black market or from Mexico. "Other methods reported by those who knew someone who had attempted self-induction included herbs or homeopathic remedies, getting hit or punched in the abdomen, using alcohol or illicit drugs, or taking hormone pills."

The main reasons women tried to induce an abortion, according to the study, were "financial constraints to travel to a clinic or to pay for the procedure, local clinic closures, recommendation from a close friend or family member to self-induce, or efforts to avoid the stigma or shame of going to an abortion clinic, especially if they had had prior abortions."

The Guttmacher Institute, a reproductive rights organization, has warned that state laws restricting abortion access would lead to self-induced abortions becoming a "more common phenomenon" among low-income women. "Some women want to terminate their pregnancies but live in hostile geographic areas and have limited resources and support," said Guttmacher researcher Andrea Rowan in September.

On March 30, 2015, 33-year-old Indiana woman Purvi Patel was sentenced to 20 years in prison for feticide. Patel had consistently claimed that she miscarried in 2013, but prosecutors claimed she delivered her fetus alive rather than stillborn. Katherine Jack, an attorney who had represented another Indiana woman charged with homicide for losing her baby, told the *Guardian* newspaper that the Patel conviction "basically sets a precedent that anything a pregnant woman does that could be interpreted as an attempt to terminate her pregnancy could result in criminal liability."

Women across the US are being prosecuted under such laws for alleged drug abuse during pregnancy. Under a 2014 Tennessee law, women may be charged with assault for illegal behavior while pregnant and sentenced to 15 years in prison for using a narcotic drug. Far from "protecting the unborn," as the laws' backers would have it, the risks of birth defects or other complications are exacerbated. When maternal health problems are criminalized, pregnant women are more reluctant to seek help with addictions or prenatal care out of fear they will be prosecuted.

Since the law's enactment, women have been arrested for giving birth in cars or other places to avoid going to the hospital. Pregnant women have been turned away from drug rehabilitation clinics because of the legal liability on care providers. Poor women who are on TennCare have extremely limited options; only five drug treatment facilities in the state, with a total of some 50 beds, are available to house pregnant women. TennCare does not typically cover treatment for opioid withdrawal.

Just weeks after the law went into effect, a 26-year-old mother who admitted to using meth while pregnant was charged with aggravated assault. The mother, Jamillah Falls, attempted to comply with a court-mandated treatment program, but she was sent to jail after transitioning to a homeless shelter, because she "couldn't find a job and meet the standards at the halfway house, all while trying to learn a new lifestyle away from drugs," local news channel WREG 3 reported.

Tennessee governor Bill Haslam, a Republican, released a letter announcing a bill to be submitted to the General Assembly in January that will "prevent the abhorrent activities discussed in the Planned Parenthood videos from occurring in Tennessee." The videos to which Haslam refers are part of a political smear campaign against the health care provider by anti-abortion activists. In his letter, Haslam also revealed that the state had recently conducted unannounced inspections of the state's four primary abortion providers, and set up a "hotline" for complaints about them.

While the Haslam administration is representative of the Republican Party's position on abortion as a whole, the attacks on access to health care for women and the working class as a whole have been a bipartisan effort. At the federal level, the Obama administration has bowed repeatedly to the religious right on reproductive health care, exempting the Catholic Church and hospitals and other businesses run by religious groups from provisions of the Affordable Care Act.

At the state level, the Democrats have been no less complicit. Haslam's Democratic predecessor, Phil Bredesen, oversaw the largest state-level Medicaid program cuts in the country. State Bill 1391, the bill criminalizing substance abuse during pregnancy, was sponsored by prominent Memphis Democrat Reginald Tate.

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