

California police arrest woman for delivering stillborn baby with drugs in its system

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California police arrested 25-year-old Chelsea Cheyenne Becker last week after she delivered a stillborn baby with methamphetamine in its system. “The levels of methamphetamine in this baby’s system were such high levels, even for an adult,” said Detective Sargent Justin Valilin, “so we believe that she was using almost the entire time she was pregnant.”

Bail was set at \$5 million for Becker, and she was booked into the Kings County Jail in Hanford, California last Tuesday night. She entered an initial plea of not guilty to the charges.

There is no indication that Becker—who has a history of methamphetamine abuse and had lost custody of three previous children—intentionally aborted her pregnancy. Nonetheless, and in a chilling precedent for working class women in California and nationally, Becker was booked on a charge of first-degree murder, implying that her drug usage was not the result of addiction but was instead part of a conscious plan to poison her unborn fetus. Even if the charge was reduced to involuntary manslaughter, however, the state of California now makes clear that it plans to implement the anti-scientific and barbarous politics of the religious right granting personhood status to the unborn.

Many obvious questions arise as a result of the incident. What if, instead of methamphetamine use, a pregnant woman imbibes alcohol leading to miscarriage? What if, with diminishing parental planning facilities, even in states where abortion is still officially legal, a woman decides to self-abort her pregnancy? What if miscarriage results from a mother’s inability to obtain proper medical care?

Becker’s arrest takes place in the wake of a number of state rollbacks of abortion rights. An Alabama law passed in May criminalizes all instances of abortion

aside from instances where a pregnant woman’s life or health is in danger. The law, signed by Alabama Governor Kay Ivey, criminalized abortion even in cases of rape or incest. Republican state Senator Clyde Chambliss argued that aborting a fetus under any circumstances would contravene “God’s will.” “When God creates the miracle of life inside a woman’s womb,” he said, “it is not our place as human beings to extinguish that life.”

Similar laws were also put into place around the same time in Georgia, Kentucky, Mississippi and Ohio in hopes that appeals would eventually bring the cases to the US Supreme Court where the conservative majority could put an end to *Roe v. Wade*, thereby legalizing bans on abortion at the state level.

Such measures, both at the state and national level, will inevitably force desperate working class women into dangerous procedures in order to terminate unwanted pregnancies.

Michelle Oberman, a Santa Clara University law professor, recently reported on abortion in El Salvador where the practice is illegal under all circumstances, i.e., under conditions that sections of the ruling elite seek to impose in the United States. Oberman’s report found that all abortions in El Salvador reported to federal prosecutors took place at public hospitals. No reports were made from private hospitals, meaning that wealthy women were able to obtain abortion services with little or no consequence while poorer women were criminalized.

Furthermore, doctors in El Salvador often refused other medical treatments for women during pregnancy, including chemotherapy, for fear that the drugs may harm the fetus. The doctors also did not intervene during ectopic pregnancies for fear that eggs trapped in the expectant mother’s fallopian tube would be

considered living beings under the law. Doctors, in their reports to state prosecutors, also often falsely reported miscarriages as self-abortions using the drug Misoprostal rather than risk suspicion of covering up illegally terminated pregnancies.

Drug-addicted women such as Becker face a particularly insidious Catch 22. Medications meant to treat drug addiction often pose serious risks to the fetus and usually act as even more powerful abortifacients than the narcotics they're meant to treat. Naltrexone, meant to treat methamphetamine and other drug addictions, is currently classified under the pregnancy risk category C by the Food and Drug Administration, meaning that it poses a serious risk to the unborn fetus.

As the plight of Becker makes clear, the war on a woman's right to abortion is not simply a product of the reactionary and fascistic Trump administration. It is in fact a bipartisan effort extending to Democratic Party-dominated states like California. In fact, the state of California's penal code, adopted in 1970 under the governorship of Ronald Reagan and unchanged since, defines murder as the unlawful killing of a human being or unborn child or fetus.

In January 2018, Adora Perez, a young woman from Hanford, California, was charged with murder for delivering a stillborn baby with meth in its system. The baby's placenta had detached from the uterine lining, causing stillbirth. Perez is now serving an 11-year sentence at the Central California Women's Facility in Chowchilla. Other risk factors for placental detachment also including smoking, high blood pressure and certain infections.

Laws in five states placing further restrictions on abortion—all but guaranteeing that by the time women become aware of their pregnancies they are no longer able to obtain legal abortions—were passed by both Republican- and Democratic-led legislatures and governorships. Many of the 2020 Democratic presidential candidates initially issued rhetorical denunciations of the laws, only to quickly drop any mention of them once they disappeared from the headlines.



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