

Nebraska mother faces two-year sentence for providing daughter with abortion pills

Kevin Reed
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A Nebraska mother pleaded guilty on Friday to charges that she illegally gave her 17-year-old daughter abortion pills and helped dispose of the fetus after the abortion. Her sentencing is scheduled for September 22 and she faces up to two years in prison.

Jessica Burgess, 42, of Norfolk dropped her earlier not guilty plea and admitted to providing the pills to her daughter Celeste after 20 weeks of gestation, false reporting and tampering with human skeletal remains. Two other charges against the mother, concealing the death of another person and abortion by someone other than a licensed physician, were dismissed.

Self-managed abortion is not illegal in Nebraska. However, in this case, prosecutors decided to charge both the mother and the daughter under other criminal statutes. On May 22, Celeste, who was 17 years old at the time she took the abortion pills, pleaded guilty to one count of abandoning a dead human body and faces up to two years in prison. Charged as an adult, Celeste is facing two years in prison when she is sentenced on July 20.

On August 10, 2022, Republican Madison County Attorney Joseph Smith filed felony and misdemeanor charges against the Burgesses for actions they committed in April, two months before the US Supreme Court overturned the 1973 abortion rights case *Roe v. Wade*. Prosecutor Smith has said this is the first time he has charged anyone with illegally performing an abortion after 20 weeks. This Nebraska statute was enacted in 2010.

Court documents show that Jessica Burgess ordered abortion pills online and gave them to Celeste, who then gave birth to a stillborn fetus estimated to have gestated for 29 weeks. The documents say the mother and daughter then burned and buried the remains with the assistance of a 21-year-old male, Tanner Barnhill,

who subsequently pleaded no contest to charges against him and received a probation sentence.

An unidentified person contacted the police and told them that Celeste had a stillbirth and had buried the fetus. The police investigated and secured a warrant to obtain the Facebook Messenger communications between the daughter and mother.

Among the exchanges provided by Facebook to prosecutors is one in which Jessica tells Celeste that the medication she ordered online had arrived. The prosecutor wrote that the daughter tells her mother about “how she can’t wait to get that ‘thing’ out of her body.” In a subsequent text exchange, Celeste tells her mother, “Remember we burn the evidence,” and the mother replies, “Yep.”

Celeste told investigators her baby was stillborn on April 29. The court records state that she placed the remains in a plastic bag and then in a box and transported it in the back of a cargo van. The documents state that the three then burned the fetus and buried it in a secluded area a few miles north of Norfolk.

Other evidence that led to the charges against the two included a friend of Celeste who said she saw the teenager take the first of two pills. A search warrant was conducted on the Burgess home and 13 items were taken, including phones and laptops.

When Facebook corporate parent Meta was contacted by the *New York Times* about its collaboration with Nebraska authorities, even though it previously pledged to protect employee access to abortions, the company said it had “received valid legal warrants from local law enforcement on June 7, before the Supreme Court’s decision” on abortion.

At the same time, Facebook reported that the warrants issued did not mention abortion and said the police

were investigating “the alleged illegal burning and burial of a stillborn infant.”

The prosecution of Celeste and Jessica Burgess is a harbinger of the criminalization of abortion underway across the US one year since the Supreme Court decision to overturn the constitutional right to abortion. As reported recently on the *World Socialist Web Site*, the denial of the right to abortion has already had a devastating impact on the health and living standards of millions of working class and poor women.

With 26 states, including Nebraska, moving swiftly to ban abortions, the long-term health, economic, social and psychological consequences on women are devastating. Meanwhile, this far-reaching attack on working class women is being combined with massive cuts in social services, Medicaid, food stamps and other programs that are vital for millions of families.

The prosecution of Celeste and Jessica Burgess is not the first time a mother helping her daughter end a pregnancy has been criminalized. In Pennsylvania, Jennifer Whalen helped her teen daughter get abortion pills when care was unavailable to them in 2012.

The teenager became scared when she started bleeding and went with her mother to the emergency room. They told the staff she had taken mifepristone and misoprostol. Although the girl was discharged without incident, the hospital system reported the mother to state child-protective services and Whalen was prosecuted and sentenced to 9 to 18 months in jail.



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