



New Abortion Bans Will Lead to More Rape-Related Pregnancy Births

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Between 2010 and 2019, data show that of all the crime categories, rape, defined as “penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim,” had both the highest percent change, in count, and by rate per 100,000.¹ Our analysis of data from the Federal Bureau of Investigation National Incident-Based Reporting System finds that between 2016 and 2021, reports of rapes against women increased by 98%, or an increase of 39,433 more reports of rapes against women, and aligns with FBI data.² Our interest in reports of rapes against women is motivated by the increased number of states that enacted abortion bans with no exception for rape or incest since the *Dobbs v. Jackson* decision.

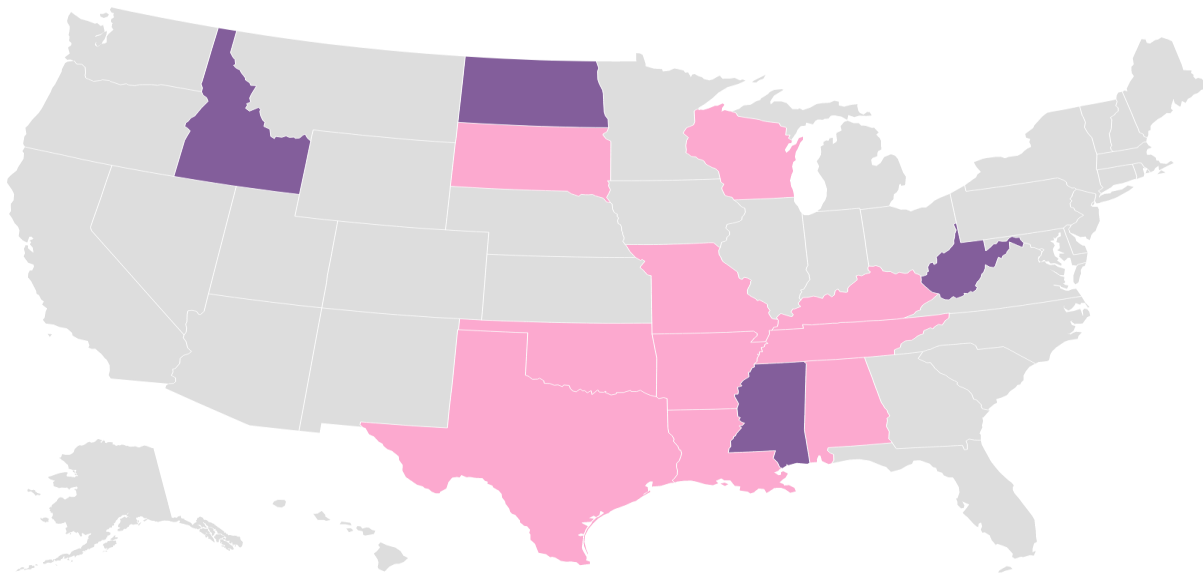
Since *Dobbs v. Jackson*, fourteen states have banned abortion, including ten states with no exceptions for rape or incest (see Graph 1). The banning of abortions, without exception, by these states comes at a time when reports of rapes against women have increased nationally, but also in 9 of the 10 states to ban abortion without exception. Therefore, women and girls in these states who are victims of rape (or incest), without means to travel to another state to receive an abortion, will be forced to endure a rape-related pregnancy (RRP).

¹ FBI — *Rape*. (n.d.). Crime/Law Enforcement Stats (Uniform Crime Reporting Program). Retrieved June 21, 2023, from <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/rape>

² Bureau of Justice Statistics. (2020, May 20). *Incidents*. Law Enforcement Agency Reported Crime Analysis Tool. Retrieved June 21, 2023, from <https://learcat.bjs.ojp.gov/IncidentsCrime?Unit%20of%20Analysis=Count&Data%20Year=2021>

Graph 1: States with Abortion Bans

■ Banned ■ Banned, No Exceptions



The Centers for Disease Control and Prevention (CDC) defines RRP as any pregnancy that a rape victim attributed to rape.³ Critics of abortion ban exceptions for rape and incest argue that RRP occur too infrequently and are negligible.⁴ However, Basile et al. (2018) found that almost 2.9 million U.S. women experienced rape-related pregnancies during their lifetime. We do not consider 2.9 million women to be a negligible number! No matter what you believe about the frequency of RRP, the increase in reports of rapes suggests more women will experience RRP and be forced to carry the pregnancy to term.

Who are the Victims of Rape?

In 2021 there were 87,825 reported incidents of rape, women represented over 90% of the reported rape victims. The number of reported rapes among women increased from 2019 to 2021. In addition, Asian, Black, Hispanic, Native American, and White women experienced overall increases in incidents of rape from 2019 to 2021 (see Table 1). Native American females experienced the most significant increase in reported rapes (98 %), while Asian females reported the

³ Centers for Disease Control and Prevention. (2020, June 1). *Understanding Pregnancy Resulting from Rape in the United States [Violence Prevention/Injury Center]*CDC. Centers for Disease Control and Prevention. Retrieved June 21, 2023, from <https://www.cdc.gov/violenceprevention/sexualviolence/understanding-RRP-inUS.html>

⁴ 'Legitimate rape' rarely leads to pregnancy, claims US Senate candidate. The Guardian. Retrieved June 21, 2023, from <https://www.theguardian.com/world/2012/aug/19/republican-todd-akin-rape-pregnancy>

fewest (26%). The number of reported incidents of rape varies among different groups of women due to various factors such as cultural differences, immigration issues, language barriers, and proximity to assistance. Additionally, reporting inconsistencies by states from year to year also distorts the accuracy of the data.

Table 1: Reports of Rape 2019 - 2021 by Race and Ethnicity

	Asian	Black	Hispanic	Indigenous American	White
2019	481	7,339	6,182	461	23,277
2020	452	8,103	7,073	531	24,593
2021	604	10,346	10,997	915	30,835
Percent change in the incidence of rape 2019 - 2021					
	26%	41%	78%	98%	32%

Source: Federal Bureau of Investigation National Incident-Based Reporting System

More than 75% of both Hispanic and Asian households speak languages other than English in the home, including many individuals who report having either limited or no English-speaking ability.⁵ Language barriers make it difficult for these women to access vital information on available resources or where to seek help. In addition, many of these women are immigrants and face even more challenges because the social service agencies that serve sexual violence victims are often underequipped to meet the diverse needs of immigrant victims.⁶

What Does Age Have to Do with It?

Young girls aged 5 to 17 comprise over 40% of the reports of rapes against women. After stay-at-home orders were issued in March 2020 during the COVID-19 pandemic-induced lockdown, the Rape, Abuse & Incest National Network their home by a family member.⁷ Hispanic girls aged 5 to 14 represent the largest

⁵ Asian Pacific Institute on Gender Based Violence. (n.d.). *Survivors with Limited English Proficiency: Barriers to Access*. Asian Pacific Institute on Gender-Based Violence. Retrieved June 21, 2023, from <https://api-gbv.org/wp-content/uploads/2019/05/LEP-survivors-accessibility-9-2016-formatted-20191.pdf>

⁶ Mindlin, J., Orloff, L. E., Pochiraju, S., Baran, A., & Echavarria, E. (n.d.). *Dynamics of Sexual Assault and the Implications for Immigrant Women*12. NIWAP Library. Retrieved June 21, 2023, from <https://niwaplibrary.wcl.american.edu/wp-content/uploads/2015/Ch1-DyanimcsSexualAssaultImplications-07.10.13.pdf>

⁷ Kamenetz, A. (2020, April 28). *Child Sexual Abuse Reports Rise Under Coronavirus Lockdowns : Coronavirus Updates*. NPR. Retrieved June 21, 2023, from <https://www.npr.org/sections/coronavirus-live-updates/2020/04/28/847251985/child-sexual-abuse-reports-are-on-the-rise-amid-lockdown-orders>

proportion (31%) of any age group of women in any race or ethnicity, followed by Asian women aged 18 to 24 (27%). Women over 65 represent a small share of reports of rapes for each group of women. Our analysis finds that 50% of Hispanic victims were minors, girls under 18, nearly one-third of Asian female victims were college-aged, 18 to 24, and almost one-fifth of Black female victims were aged 24 to 35.

Table 2: Percentage of Incidents Against Females by Age and Race

	Asian	Black	Hispanic	Indigenous American	White
Age 5 to 14	20%	22%	31%	20%	19%
Age 15 to 17	21%	15%	19%	16%	18%
Age 18 to 24	27%	22%	19%	20%	22%
Age 25 to 34	17%	19%	14%	18%	17%
Age 35 to 64	18%	17%	13%	23%	20%
Age 65+	1%	1%	1%	1%	2%

Source: Federal Bureau of Investigation National Incident-Based Reporting System

Friend or Foe: Who are the Perpetrators of Rape?

Friends/acquaintances were reported to be the perpetrator in over 33% of reports of rape against women. In contrast, Hispanic women reported more rapes committed by other family members, 27%, compared to Asian, Black, Native American, and White women. This result is not entirely unexpected, given that 50% of Hispanic female victims of rape are minors under the age of 18.

Table 3: Average Incidents of Rape Against Females by Type of Perpetrator

	Asian	Black	Hispanic	Indigenous American	White
Intimate Partner	19%	14%	17%	12%	18%
Stranger	9%	8%	6%	6%	7%
Other Family	13%	15%	27%	14%	14%
Friend	39%	41%	34%	41%	42%
Unknown	13%	15%	12%	13%	12%

Source: Federal Bureau of Investigation National Incident-Based Reporting System

If we disaggregate the reports of rapes by the type of perpetrator, we unmask disturbing patterns:

1. If the reported perpetrator was an intimate partner, the victim is a woman aged 25 or older.
2. Strangers rape victims of a wide age range, data shows not patten.
3. Perpetrators reported as 'Other Family' primarily prey on girls under the age of 14.
4. Friends were more likely to be reported as the perpetrator of rape against college-aged women aged 18 to 24 for all female groups except Indigenous American women aged 15 to 17, who are more likely to report a friend as the perpetrator of rape.

Ban Rape, Not Abortions

From 2019 to 2021, reports of rape increased by 56% in states with bans on abortion. Specifically, in 2021, there were over 28,000 reports of rapes in the 10 states with complete abortion bans without exceptions for rape. The lack of data on rape-related pregnancies and accurate data on rapes (reports of rapes underestimate the number of victims of rape) may mean we will never know the full effect and costs of these abortion bans. We implore legislators in these states to ban rape and incest and to prosecute perpetrators of rape with the same fervor and zeal that they fought to overturn Roe v. Wade.