

A WOMAN'S RIGHTS: PART 7

How My Stillbirth Became a Crime

BY THE EDITORIAL BOARD



In the video above, Anne Bynum describes the harrowing experience of being criminalized and incarcerated after having a stillbirth.

Ms. Bynum is one of several hundred women in the United States who have been prosecuted for their pregnancy outcomes. Numerous states across the country have passed laws recognizing fetuses — even fertilized eggs — as persons separate from the mother, and more are considering doing so. These laws have had the perverse consequence of not just pitting the health of a fetus against that of a pregnant woman but of also, in some cases, overriding the woman's rights entirely.

Women who have miscarriages or stillbirths have been

detained and jailed for a variety of crimes, including murder. Ms. Bynum was convicted of “concealing a birth,” a crime that dates back to the 17th century.

Her case is one of only four that have ever been reported in Arkansas; the three others occurred between 1884 and 1944. Fifteen other states have equivalent laws, with charges ranging from misdemeanor to felony. These laws were created to make it easier to prosecute parents who kill their babies — in such cases, it's necessary to prove that the infant was born alive. But in Arkansas, the statute's

language is vague: It does not include a time frame or define “concealment,” so women who have miscarriages or stillbirths at home could be charged for waiting even a minute before calling authorities.

**I was treated
like a murderer
for suffering a
personal tragedy.**