



NEW YORK STATE SENATOR

Liz Krueger

Statement from Sen. Krueger on 20-year Sentence for Purvi Patel

LIZ KRUEGER April 2, 2015

| ISSUE: **WOMEN'S HEALTH, HUMAN RIGHTS, CIVIL RIGHTS, WOMEN**

New York -- The following statement was issued today by State Senator Liz Krueger (D-Manhattan), Co-Chair of the NYS Bipartisan Legislative Pro-Choice Caucus, in response to reports that Purvi Patel was sentenced by an Indiana court to 20 years in prison on charges of feticide and felony neglect:

“From start to finish, the experience of Purvi Patel illustrates the disturbing national trend of criminalizing pregnancy and curtailing the rights of pregnant women. It is a shocking example of feticide laws -- supposedly intended to protect pregnant women -- being used instead by the state to make the outcome of pregnancy the subject of prosecution. Ms. Patel’s already tragic and dangerous situation was made all the worse by the medieval application of these laws and the use by prosecutors of discredited, 17th century forensic methods to secure a conviction.

“Ms. Patel has been swept up in a broad and concerted assault on women’s sovereignty over their own bodies and their right to make their own reproductive decisions. State legislatures throughout the country are considering literally hundreds of bills that would restrict access to safe abortions and reproductive healthcare. Increasingly onerous restrictions and prosecutions lead to fear and silence among women, forcing them into dangerous situations that put their health and lives at risk – a return to the grisly days of the back alley.

“That is why it is particularly shocking that on Monday the NYS Assembly considered a hostile amendment, put forward by Assembly Member Marcos Crespo and supported by 50 other members, that would have banned funding for abortions through Medicaid, cutting off access to safe procedures for some of New York state’s most vulnerable women.

“Instead of criminalizing women, we should be doing a better job of increasing access to birth control, education, support, and safe abortions, and ending the stigma associated with reproductive health issues. The unconscionable injustice of Purvi Patel’s case demonstrates the need for continued action to protect the rights of women in New York and throughout the country.”

Background

On Monday, 33-year-old Purvi Patel was sentenced by an Indiana court to 20 years in prison on charges of feticide and neglect of a dependent. She is the second woman to be charged with feticide in Indiana, and the first to be convicted.

According to Ms. Patel, she had a miscarriage in which she delivered a stillborn fetus. Suffering from heavy bleeding, she went to the emergency room, where doctors notified the police. Prosecutors alleged that she took abortion medication ordered online, then gave birth to a live fetus that subsequently died as a result of her actions. However, a toxicologist at her trial testified that there was no trace of the medication in her bloodstream, and there was conflicting testimony as to whether or not the fetus was born alive. One of the pathologists testifying for the prosecution used a “lung float test” to determine the fetus was viable, a test that dates from the 17th century and has long been discredited.

38 states have feticide laws on the books, ostensibly to give extra protection to pregnant women. But according to a study by the National Advocates for Pregnant Women, since 1973 there have been hundreds of cases of women arrested for actions deemed harmful to their fetuses, including refusing cesarean sections and taking abortion medication ordered online. Since the 2010 midterm elections, hundreds of anti-choice bills have been introduced in state legislatures across the country, with at least 235 bills introduced in 39 states in the first three months of 2015 alone. Of those, 32 have been passed by at least one chamber, and 11 have either been signed into law or await a governor’s signature.

Links

NBC News, “Indiana Sentences Purvi Patel to 20 Years for Feticide.” <http://www.nbcnews.com/news/asian-america/indiana-has-now-charged-two-asian-american-women-feticide-n332761>

The New York Times, “Purvi Patel Could Be Just the Beginning.” http://www.nytimes.com/2015/04/01/magazine/purvi-patel-could-be-just-the-beginning.html?_r=1

Think Progress, “The Woman Says She Had A Miscarriage. Now She Could Face 70 Years In Prison.” <http://thinkprogress.org/health/2015/03/30/3639736/purvi-patel-sentencing/>

RH Reality Check, “235 Anti-Choice Bills Proposed in State Legislatures Since January.” <http://rhrealitycheck.org/article/2015/03/31/235-anti-choice-bills-proposed-state-legislatures-since-january/>

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