



Fetal Disposition: The Abuses and The Law

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With roughly 1.06 million abortions in the nation every year, abortion facilities have a need to dispose of approximately 2,700 baby bodies every day. Because of this, clinics want disposal methods to be broad, cheap, and accessible. The state laws governing fetal disposition are often archaic and scattered throughout a variety of state codes, regulations, and statutes. In a number of states, the laws are so broad that it is legal to grind the bodies of aborted babies in the garbage disposal and send the remains through the sewage system or to incinerate entire containers of baby body parts at once.

Despite the documented finding that some universities and other companies have purchased specific human fetal parts from abortion businesses for conducting research, the abortion facility still bears the weight of disposing of the remainder of unwanted fetal parts.

This paper will examine the problems that occur when laws fail to hold abortion clinics accountable and when the clinics are allowed to choose methods of disposal that most benefit their businesses. It will also suggest a variety of changes that could be made to state laws to end some of the dangerous practices of the abortion industry.

The full text of this publication can be found at:

<https://www.lozierinstitute.org/fetaldisposition/full>

Summary of Findings

- ❖ Violations and problems with fetal disposition laws have been discovered in numerous states, including Indiana, Michigan, Pennsylvania, South Carolina, Texas, and Utah.
- ❖ Examples of documented *violations* of state law by abortion facilities or waste disposal companies regarding fetal disposition include: failure to disinfect containers and sending body parts down the sanitary sewer; disposal of fetal remains in a municipal solid waste landfill; and storage in a refrigerator.
- ❖ Due to the variability and archaic status of some state laws, numerous fetal disposition methods have been employed as *legal solutions* by abortion facilities and waste disposal companies, including: flushing fetal body parts through the garbage disposal leading into the sewer system; dumping fetal remains into an auger along with medical waste and grinding them together; and having the fetal remains transported across state lines to another state's dumpsters.
- ❖ Stericycle, the largest known waste disposal company willing to transport and dispose of the remains of human fetal parts after abortion, has been found by at least two state departments to be in violation of state regulations specifically governing fetal disposition.

Summary of Recommendations

- ❖ Limiting disposition of fetal remains to individual burial or individual cremation;
- ❖ Updating language in state statutes that have limited definitions of human persons hinging on gestational age or weight, so that human fetuses are explicitly included in protections for a “human being” or “human body”;
- ❖ Requiring written consent from the mother on the method of disposition for the body with the option of individual cremation or individual burial;
- ❖ Requiring regular and unexpected inspections of facilities that perform abortion by the appropriate state agency;
- ❖ Limiting the number of human fetal remains and/or the time that the fetal remains can be stored at facilities that perform abortion.