



The Justice Foundation

Advancing Life, Liberty, and Justice

CENTER AGAINST FORCED ABORTIONS

Dear father of your child in the womb,

If you are reading this letter, you now know that you are a father of your child in the womb. As difficult and upsetting to you as this information may be, there is hope and help for you. Many organizations and groups, including The Justice Foundation are available to help you. You are not alone, and you are not the first to face this issue – there is hope. Positive, healthy outcomes can arise from this situation.

There are important new legal rights that the mother of your child in the womb now possesses that you should know about. As a mother, she has the sole right to determine whether to bring this child to life. *Casey v. Planned Parenthood of Pennsylvania*. That right is hers – not anyone else’s. Although **you still have the legal duty as the father of the child in the womb to provide for the baby**, she has the right to make maternal healthcare decisions about the child in her womb, your son, or your daughter. Even though abortion is legal, the decision is hers.

You may not force, coerce, or unduly pressure the mother of your child in the womb to have an abortion. To do so could subject you to the criminal charge of fetal homicide (killing a baby while still in the womb) in the many states with fetal homicide laws. In other words, any third party (including you or a relative and/or friend) who causes the baby to be killed may be guilty of fetal homicide. See, for example, *Lawrence v. State*, 211 S.W. 3d 883, 884-85 (Tex. App. – Dallas 2006). You may also be prosecuted under the Federal Unborn Victims of Violence Act.

Attempting to force, unduly pressure, or coerce a woman to abort your child, may also subject you to the tort of intentional infliction of emotional distress or other civil liability. A pregnancy is an emotionally and physically vulnerable time for the mother. Excessive undue pressure, force, and coercion may cause emotional and physical damage to both the mother and your child. You could be responsible for that damage legally.

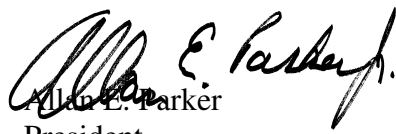
Here are some examples of threats that may subject you to legal liability:

1. You won’t get a penny of child support out of me. (Your duty to pay child support is established by the law, not the mother.) You have a legal duty to pay child support.
2. If you don’t have an abortion, I am going to beat you up. (Any threat or actual infliction of physical violence is an illegal assault.)
3. If you don’t have this abortion, I am divorcing you, but I will stay with you if you abort the child. (The intentional infliction of emotional distress to force your will over the woman’s will may subject you to both civil and criminal liability. The decision of a woman to abort must be voluntary and fully informed to be valid.)

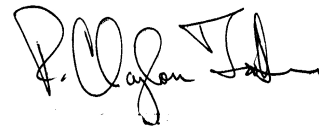
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We hope that this general legal information has been helpful to you. We desire that you not subject yourself to criminal or civil liability.

Sincerely,



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R. Clayton Trotter
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The Justice Foundation



Kathleen Cassidy Goodman
Lead Counsel of the Center Against Forced Abortions
A Project of The Justice Foundation

Disclaimer: This is intended as generally accurate legal information and education, not specific legal advice. Individual situations and state laws may vary. Contact a local attorney of your choosing for specific legal advice.

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