

Exclusive: Elizabeth Warren and Senate Democrats Press Crisis Pregnancy Centers on Abortion Data Gathering



Sen. Elizabeth Warren (D-MA) speaks about abortion rights during a press conference outside the U.S. Capitol building on June 15, 2022 in Washington, DC.

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Senate Democrats are asking the country’s largest network of anti-abortion pregnancy centers to provide information about how the organization gathers, protects, and shares the personal data of pregnant people who seek out its services, spotlighting concerns that the data could be used in abortion-related prosecutions.

The [letter](#), led by Sen. Elizabeth Warren of Massachusetts and first reported by TIME, requests a response from the anti-abortion organization Heartbeat International by Oct. 3.

Anti-abortion pregnancy centers, sometimes called crisis pregnancy centers, have proliferated in recent years. Even before [the Supreme Court overturned *Roe v. Wade*](#) this summer, there were more than 2,500 such centers across the U.S., outnumbering abortion clinics 3 to 1. While the centers often look similar to medical facilities, they are typically faith-based and aim to dissuade people from having abortions by offering counseling and resources such as free pregnancy tests, baby clothes, diapers, and parenting classes.

A recent [TIME investigation into the pregnancy centers](#) found that they have collected vast troves of sensitive personal information about their clients that legal experts say pose a major privacy risk, especially as more states criminalize abortion. Despite presenting themselves in ways that evoke medical clinics and asking clients to sign intake forms that look like those someone might find at a doctor's office, these crisis pregnancy centers (CPCs) are typically not licensed medical facilities. Their forms and websites often contain fine print that explain they are not bound by federal privacy laws and can share client information with a range of other partners and organizations. Now, citing TIME's story in their letter, Warren and six other Democrats including Senators Mazie Hirono, Cory Booker, Bernie Sanders, Ron Wyden, Ed Markey, and Richard Blumenthal, want to further examine the centers' handling of this data.

Read More: [*Anti-Abortion Pregnancy Centers Are Collecting Troves of Data That Could Be Weaponized Against Women*](#)

“After luring pregnant people—many in desperate situations—to affiliate CPC facilities by using a variety of false and misleading tactics, Heartbeat International then collects a significant amount of their personal health care information, which in many cases does not appear to be protected by the Health Insurance Portability and Accountability Act (HIPAA),” the Senators wrote in their letter. “We fear that, in the wake of the Supreme Court’s *Dobbs v. Jackson Women’s Health Organization* decision that stripped women of their right to an abortion, this information may be used to put women’s health and freedom to choose in jeopardy, and to put them and their health care providers at risk of criminal penalties.”

Heartbeat International, which has 1,800 affiliates in the U.S., uses a data collection system that categorizes women seeking help at its centers based on how likely they are to get an abortion, and runs a 24-hour hotline and online chatbot that require visitors to provide their name, location, demographic information, and what they plan to do with their pregnancy. The organization did not immediately respond to a request for comment about the Senators’ letter. It previously told TIME that it protects its clients’ privacy. “That data is secure,” Heartbeat International spokeswoman Andrea Trudden said in June. “Any information that we publish and pull is just numbers, so we’re not looking at any of that [personal] information.”

But Democratic lawmakers and abortion rights advocates note that the situation presents conflicts of interest. Heartbeat International filed an [amicus brief](#) encouraging the Supreme Court to overturn *Roe v. Wade* and then [celebrated the Court’s decision](#) doing so, which has allowed a wave of laws criminalizing abortion to take effect. In the months since, the anti-abortion movement has doubled down on its investment in crisis pregnancy centers. Some centers have opened new locations while others

have reported increases in visitors, and Heartbeat International has said it expects its centers to be busier in the future. “Now is the time for us to step up and be ready to help more moms,” Heartbeat International President Jor-El Godsey said in a video after the *Dobbs* decision. “More and more women are going to need the help that pregnancy help centers and pregnancy help organizations are there to provide.”

The letter is the latest example of congressional Democrats trying to [protect digital privacy](#) and other issues that could affect abortion access following the *Dobbs* ruling. Even if people have not interacted with an anti-abortion pregnancy center explicitly collecting information about their pregnancy plans, privacy experts warn that everything from internet search history to location data to text messages and phone records could be used as evidence by those seeking to prosecute people who have abortions or help facilitate them. In response to these concerns, Democratic lawmakers have introduced a number of bills [promoting digital privacy reform](#). The My Body, My Data Act, for example, would create a national privacy standard for reproductive health data collected by apps, cell phones, search engines and potentially entities like pregnancy centers. Another bill, the Stop Anti-Abortion Disinformation (SAD) Act, aims to crack down on misleading advertising by anti-abortion pregnancy centers, and the Health and Location Data Protection Act seeks to ban data brokers from selling or transferring individuals’ medical and other sensitive personal information.

While some of these bills have gotten attention from Democrats as more states have banned abortion, none are likely to pass while Democrats hold slim majorities in Congress. Democrats in the House passed legislation that would codify broader abortion rights protections, but that bill has repeatedly failed to make it through the Senate.

Lawmakers note that these fears are not hypothetical. This summer, prosecutors in Nebraska charged a mother and daughter over a self-managed abortion in a case where police obtained their Facebook messages through a search warrant. In 2017, prosecutors used internet searches for abortion drugs as evidence against a Mississippi woman charged with the death of her fetus, and in 2015, a woman was convicted of child neglect and feticide after prosecutors examined text messages about abortion pills. Advocates worry cases like these could become increasingly common now that abortion is more severely restricted in many states. “There have already been alarming cases where digital trails were used as evidence by prosecutors, and we are concerned that the lack of transparency and lack of protection will allow the data Heartbeat International and its affiliates collect to ‘be used in pregnancy- and abortion-related prosecutions,’” the Senators wrote in the new letter.

Some of the Senators who have signed on to the Heartbeat International letter have already seen results from similar efforts. After Warren and other Democrats wrote to two data brokers this spring, those companies, SafeGraph and Placer.ai, committed to [stop selling](#) the location data of people who visit abortion clinics. Another group of Senators also wrote to the Federal Trade Commission (FTC) in May [asking](#) what steps it was taking to protect data privacy, and in August, the FTC [sued](#) data broker Kochava for allegedly selling information that could be used to track people who visited places like abortion clinics and domestic violence shelters.