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After Half a Century, U.S. Supreme Court Ends Constitutional Right to Abortion; USVI Has Permissive Abortion Law

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Confirming what was leaked at the beginning of May, the Supreme Court of the United States on Friday officially issued the 5-4 decision overturning nearly 50 years of abortion being a federally protected right for pregnant people. The court voted 6-3 to side with Mississippi, but 5-4 on the broader question of whether to overrule Roe.

Reflecting the partisan makeup of the Court, the majority opinion was written by Justice Samuel Alito and joined by the court's other five conservatives, including Chief Justice John Roberts. Having overturned the 1973 decision that gave people the right to terminate their pregnancies during the first two trimesters, the Supreme Court's ruling now gives states leeway to set their own laws regulating abortion, no matter how invasive or restrictive.

As opposition to abortion moved from a minority religious position to a core plank of the conservative movement, several states began to position themselves for the eventual downfall of *Roe v. Wade*, passing “trigger” laws that would come into effect if *Roe* was overturned. Some twenty-two states already had either regular legislation or constitutional amendments in place, which now are expected to be quickly used to either outright ban or severely limit the medical procedure.

But how are non-state jurisdictions affected by today’s Supreme Court Decision? Under Title 14 of the Virgin Islands Code, abortions are permitted with the written consent of the pregnant person, under the following conditions:

- At 12 weeks or prior, by a physician properly accredited to practice in the territory
- After 12 weeks up to and including 24 weeks, by a duly accredited surgeon or gynecologist in a licensed hospital
- And after 24 weeks, the previous conditions apply and the medical professional believes that continuing the pregnancy would place the life or health of the mother at risk.

After the wave of bans and restrictions that are now expected to take hold across the country, the reversal of *Roe v. Wade* leaves the VI, along with blue states such as New York and California as one of the more permissive jurisdictions in the US as it pertains to abortion.