

# The abortion debate puts Big Tech in a tough spot

## Article

**The news:** US senators have sent letters to **Apple** and **Google** asking them to “prohibit apps available for download from engaging in data practices that may victimize individuals who seek or have sought abortion services” weeks after a leak revealed the Supreme Court may soon overturn *Roe v. Wade* (1973).

**Tech’s tricky position:** The overturning of *Roe v. Wade* could have dramatic consequences for Big Tech, which would become the gatekeeper for troves of data that could be requested by officials seeking to enforce anti-abortion laws.

- Requests from law enforcement for personal data such as geolocation and search histories are nothing new—even when it comes to reproductive rights.
- **25%** of requests Google received from US authorities in 2020 were for geofence data, [per](#) Wired. In 2017, a Mississippi woman who suffered a miscarriage was indicted for second degree murder after law enforcement used her online search history and purchase of an abortion-inducing drug as evidence.

**Legal questions:** Some tech firms like Apple and **Amazon** have [taken a stance](#) on the issue by adopting pro-choice internal policies like covering the medical expenses of employees who travel to receive an abortion. But laws being passed in states seeking to outlaw abortion could create complicated legal issues should companies refuse to provide data to authorities.

- States like Texas and Missouri have sought to criminalize helping individuals cross state lines to receive an abortion, leaving open the question of whether corporations that assist employees in doing so could be held liable.
- In March, a Texas state representative sent a letter to **Citigroup**—one of the companies providing assistance to employees seeking abortions—threatening “swift and decisive action” should it not revoke the policy.
- Refusal to comply with state laws and warrant requests could prove incredibly costly for Big Tech. But handing over sensitive health-related data would also go against tech firms’ efforts to highlight privacy initiatives.
- Apple, for example, has implemented sweeping privacy changes on iOS that it is [adopting into its branding](#).

## Level of Importance of Current Issues to US Adults, Feb 2022

% of respondents

	Very important	Somewhat important	Not very important	Unimportant
Jobs and the economy	66%	27%	5%	2%
Healthcare	66%	23%	8%	3%
Crime	61%	28%	8%	3%
National security	61%	27%	7%	4%
Taxes and government spending	59%	32%	7%	3%
Education	59%	29%	7%	4%
Civil liberties	55%	29%	11%	5%
Civil rights	53%	26%	15%	5%
Guns	51%	25%	15%	9%
Criminal justice reform	50%	31%	13%	7%
Immigration	47%	33%	14%	5%
Abortion	45%	28%	17%	10%
Climate change and the environment	43%	24%	17%	16%
Foreign policy	36%	46%	12%	6%

Note: ages 18+; numbers may not add up to 100% due to rounding

Source: YouGov, "The Economist/YouGov Poll," Feb 11, 2022

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**Where will Big Tech fall?** Many questions remain about whether Roe v. Wade will be overturned and how state laws will be enforced, but tech's internal policies already show the industry beginning to take sides.

- Many Big Tech firms will likely align themselves with the policies of the Democratic states in which they reside—which means the [industry's push into Texas](#) could slow down.
- Big Tech's pro-choice positions are bolstered by the fact that the majority of US citizens support legal abortions (61%), [per](#) Pew Research.
- The possibility that states could force platforms to censor abortion-related content is unlikely given recent litigation: An appeals court recently [struck down](#) a Florida law preventing platforms from blocking politicians. Yesterday, the Supreme Court [blocked](#) a Texas law that would prevent platforms from "discriminating based on viewpoint."