

Notification laws may not be reducing abortions Analysis of 6 states that have mandated parental roles shows divergent trends

Andrew Lehren, John Leland, New York Times
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For all the passions they generate, laws that require minors to notify their parents or get permission to have an abortion do not appear to have produced the sharp drop in teenage abortion rates that some advocates hoped for, an analysis by the New York Times shows. The analysis, which looked at six states that introduced parental involvement laws in the last decade and is believed to be the first study to include data from years after 1999, found a scattering of divergent trends. For instance, in Tennessee, the abortion rate went down when a federal court suspended a parental consent requirement, then rose when the law went back into effect. In Texas, the rate fell after a notification law went into effect, but not as fast as it did in the years before the law. In Virginia, the rate barely moved when the state introduced a notification law in 1998, but it fell sharply after the requirement was changed to parental consent in 2003.

Since the U.S. Supreme Court recognized states' rights to restrict abortion in 1992, parental involvement legislation has been a cornerstone in the campaign to reduce abortions. The laws have been a focus of divisive election campaigns, long court fights and grassroots activism, and they are now in place in 34 states. In California, voters defeated a ballot measure in November that would have required parental notice before a minor could have an abortion. "It's one of the few areas that the U.S. Supreme Court has allowed states to legislate, so it's become a key for lowering the abortion rate," said Mary Spaulding Balch, director of state legislation for the National Right to Life Committee. "My opinion, the laws have a significant impact on the number of abortions minors have."

Yet the *Times* analysis of the states that enacted laws between 1995 and 2004 -- most of which had low abortion rates to begin with -- found no evidence that the laws had a significant impact on the number of minors who got pregnant, or, once pregnant, the number who had abortions. A separate analysis considered whether the existence or absence of a law could be used to predict whether abortions went up or down. It could not. The six states studied are in the South and West: Arizona, Idaho, South Dakota, Tennessee, Texas and Virginia. (A seventh state, Oklahoma, also passed a parental notification law in this period, but it did not gather abortion data before 2000.) Supporters of the laws say they promote better decision-making and reduce teenage abortions; opponents say they chip away at abortion rights and endanger young lives by exposing them to potentially violent reaction from some parents. But some workers and doctors at abortion clinics said that the laws have little connection with the real lives of most teenagers, and that they more often see parents pressing their daughters to have abortions than trying to stop them. And many teenagers say they never considered hiding their pregnancies or abortion plans from their mothers.

"I would have told my mother anyway," said a 16-year-old named Nicole who waited recently at a clinic in Allentown, Pa., a state that requires minors to get the permission of

one parent. Abortion rates have been dropping nationwide since the mid-1980s, most precipitously for teenagers. But in three states -- Arizona, Idaho and Tennessee -- the percentage of pregnant minors who had abortions rose slightly after the consent laws went into effect. When the *Times* study compared the first full year after a state began enforcing a parental law with the last full year before the law, it found that abortions among minors dropped an average of 9 percent. But in the same period, the rates for pregnant 18- and 19-year-olds, who were not affected by the law, dropped by 5 percent, suggesting that most of the drop among minors was associated with other factors that affected minors and adults alike. "There are ongoing trends that are pushing both birth rates and abortion rates down significantly, and those larger trends are more important than the effect of these laws," said Ted Joyce, an economist at Baruch College in New York who has studied parental involvement laws. Joyce found the laws had limited effects on small subgroups of minors but little impact overall.

Of the remaining decline in teenage abortion rates in the *Times* study, Joyce said some of it might be attributed to minors going out of state for abortions. The health departments in these states do not track data on such abortions, but in three previous studies of states where such data were available, completed before 1991, two found that any drop in minors' abortions was matched by an increase in minors getting abortions out of state. Previous research on the effects of parental notification laws has produced contradictory conclusions. All was hampered by inconsistencies in the ways states gather and report data. The *Times* analysis was limited by its focus on just six states, but it avoided the possible distortions of including states that gather data in inconsistent ways.

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