

PARENTAL NOTIFICATION MEASURE BACKGROUNDER

Useful information on how to spot false or unsupported claims in your coverage of the parental notification debate

May ____, 2008

Dear:

A new parent/family member notification initiative is now in the signature verification phase of the initiative process here in California. As more than 1.2 million signatures were turned in, we are quite confident that the measure will qualify for the November ballot.

Twice before, parental notification initiatives have been on the California ballot: Proposition 73 in 2005 and Proposition 85 in 2006. During both campaigns, editorials and news stories in many newspapers repeated claims from the opposition that were either unsupported by the evidence or demonstrably false.

We anticipate that our opponents are likely to repeat the same false statements again in the upcoming campaign, so I am writing to you today to set the record straight. I am hopeful that the information that follows will be useful to editors and reporters in ensuring that factual errors are not made in editorials and stories.

1) OPPONENTS MISLEADINGLY CITE THE WRONG DATA TO CLAIM California's teen pregnancy rate is already dropping; that it is at a 12-year low; that it has dropped 46% in the past 10 years.

California is one of only two states that does **not** collect data on the incidence of abortion. Because the teen abortion rate in California is therefore unknown, it is impossible to say what California's teen pregnancy rate is. Planned Parenthood's statement that the teen pregnancy rate had dropped 47% in the past ten years is simply false. The Department of Health Services report cited is a report on the teen **birth** rate. See

<http://www.applications.dhs.ca.gov/pressreleases/store/PressReleases/06-34.html>. Obviously, the teen abortion rate could be climbing, rather than

falling, and thus contributing to the fall in birth rates.

The *estimated* teen abortion rate that Planned Parenthood sometimes cites comes from its research arm, the Alan Guttmacher Institute. The AGI data specifically states that it is an estimate, based on extrapolating nationwide trends. See Attachment A to this letter. Thus, the estimate is based on extrapolating figures compiled from all the other states, most of which have parental involvement laws, and applying that experience to California, which has no such law.

2) OPPONENTS FALSELY CLAIM that most girls already tell their parents about their decision before having an abortion.

The specific percentage claimed by the opposition varies depending on the study cited. The highest figure, 80%, is a ridiculous extrapolation from a UCLA survey on adolescent behavior, which stated, “About four in five adolescents report that parents know their whereabouts in the afternoon (81%) and at night (79%).” The opposition takes the general statement that a parent knows their whereabouts and turns that into a parent knowing about a planned abortion.

Sometimes the opposition says 70% of girls already tell their parents before having an abortion. This figure comes from a survey by the National Campaign to Prevent Teen Pregnancy, which found that 70% of minors reported that some time in the preceding six months, they had had some discussion with a parent on some sex-related topic, including sex, birth control, and abortion. Again, the opposition extrapolates this figure to say that 70% of minor girls discuss their decision to abort with a parent.

Another frequent figure is 60%. This figure comes from a study done in Minnesota in 1991, when there was no parental involvement law in place. Henshaw & Kost, Parental Involvement in a Minor’s Abortion Decision, Family Planning Perspectives, 1992: 25; 5: 196-207. See Attachment B to this letter. The study found that only 45% of minors in the survey told a parent of their decision to undergo an abortion. Another 16% reported that a parent found out some other way. Only 55% of those under age 14 told a parent.

In short, of the studies cited by the opposition to support the claim that most teens already tell a parent, **only one study actually dealt with that**

question, and that study found that most teens don't tell a parent.

3) OPPONENTS DELIBERATELY MISREPRESENT that almost all of those teens who don't tell a parent do consult with another trusted adult, such as a teacher, counselor, nurse, or clergy member.

This claim is also based on the Henshaw and Kost study. In fact, only 52% of minors whose parents were unaware of the abortion reported that another adult was consulted; of those under age 16, only 47% involved another adult. Only 22% of these minors reported that the "other adult" was a teacher, nurse, etc. **Thirteen percent of the minors reported that an adult (over age 21) boyfriend was the "other adult" consulted.**

4) OPPONENTS ERRONEOUSLY CLAIM that those girls who don't tell a parent have good reasons not to, because they fear being physically abused or thrown out of their home.

Once again, this claim is based on the Henshaw & Kost study. However, the study actually found that the most common reasons, by far, for minors not telling their mother/father were "didn't want to hurt or disappoint parent" (73/60%), "thought parent would be angry with me" (55/51%), "didn't want parent to know I was having sex" (32/38%) and "thought parent would try to make me stop seeing my boyfriend" (32/28%). Much less common were minors who reported being fearful that a parent would make them leave home (18/13%) or that they would be beaten (6/7 %). Even more significantly, of those minors whose parents found out about their pregnancy without being told by the minor herself, only 1% reported being forced to leave home and only 1% reported being beaten. While these rare cases are regrettable (and are the reason for the waiver options in parental involvement laws), they demonstrate how exaggerated minors' fears about parental reaction are.

5) OPPONENTS MISLEADINGLY CLAIM that parental involvement laws will cause minors to delay their abortions and have more dangerous later abortions.

It is interesting to note that the only time abortion proponents will talk about abortions being dangerous is when the subject is a possible delay in getting one. In their view, the abortion a minor obtains today is the safest medical procedure in the world; if she waits a week or two, it is "more dangerous" and "riskier." In fact, more recent data (as opposed to the 25- to 30-year-old data relied on by opponents) indicates that there is no

increase in the complication rate for second-trimester induced abortions as compared to first-trimester abortions.

On the question of whether or not parental involvement laws cause minors to delay abortions into the second trimester, once again the opposition relies on a very few studies to carry the weight of the argument. One of these studies is of the impact of the Texas parental notification law. This study found that a very small subset of minors, those who conceived between 17.5 and 17.75 years of age, and therefore were seeking abortions within weeks of their 18th birthday, were more likely to obtain second trimester abortions. In other words, this small subset waited a few weeks until the law did not apply to them. (It is highly improbable that any minors waited until they were well into their second trimester, as the parents would likely have discovered the pregnancy anyway.) This finding does not support the general claim that parental involvement laws cause minors to delay their abortions.

Another frequently cited study was of the effect of the Mississippi parental involvement law. This 1995 study found that, after implementation of the law, minors “delayed” obtaining abortions by an average of three days. Studies in Minnesota and Missouri are cited to show that the percentage of minors obtaining abortions in the second trimester as opposed to the first trimester increased after implementation of a parental involvement law. However, a closer look at the data reveals that the percentage increase came about because of a decline in the number of minors obtaining first trimester abortions, not an increase in the number of second trimester abortions.

A 2001 study of the effect of parental consent laws on the timing of abortions in Mississippi and South Carolina found that the laws had no effect on such timing, and noted that this finding was “in general agreement with the literature.” Joyce and Kaestner, *The Impact of Mandatory Waiting Periods and Parental Consent Laws on the Timing of Abortion and State of Occurrence among Adolescents in Mississippi and South Carolina*, *J. of Policy Analysis and Management*, Vol. 20(2) (Spring 2001), pp. 263-282, at 279.

In sum, the claim that parental involvement laws endanger minors by causing them to delay abortions is just another scare tactic.

6) OPPONENTS HYSTERICALLY CLAIM that desperate girls will seek illegal abortions and/or be beaten by parents.

This claim is in a separate category from the others, because it does not purport to have any research to support it. It is based on sheer speculation, backed by much head-shaking and hand-wringing. Not only is there no research data to support this contention, there are not even any documented individual cases. Despite the fact that a majority of states have parental involvement laws, and that these laws have been in place for well over 20 years in some states, **the opposition cannot point to a single case of a minor being harmed by these laws.** Nonetheless, the opposition claims that such harm will result if this law is passed in California. Given the track record of parental involvement laws, the burden of proof is with the opposition on this issue, and they have not met that burden.

7) OPPONENTS ASSERT, CONTRARY TO THE EVIDENCE, that the teen birth rate will rise as girls are forced into unwanted motherhood.

This claim also has no empirical basis. Several studies have shown precisely the contrary, i.e., that parental involvement laws do **not** lead to an increase in teen birth rates. See, e.g., Kane and Staiger, Teen Motherhood and Abortion Access, Quarterly J. of Econ. Vol. 111(2) 467-506 (1996) (“In contrast, **we find that recent restrictions on abortion access were associated with a reduction in teen birthrates**, largely among in-wedlock births.”) The California Legislative Analyst’s Office has now evaluated the fiscal impact of a parental notification law in California three times, and each time has stated, “Studies of similar laws in other states suggest that the effect of this measure on the birthrate for California minors would be limited, if any.”

From the foregoing, it should be clear that claims from the opponents of parental notification laws about what “studies show” should not be accepted at face value. Whenever opponents of parental notification laws use the “studies show” argument, their claims should be carefully reviewed and a response from supporters of these laws should be sought out.

There is other information we would be happy to provide regarding the beneficial effect of parental involvement laws on teen abortion and pregnancy rates, as well as on the rate of sexually transmitted disease in minors. However, the primary purpose of this letter is to show that some of

the main arguments used by opponents of parental involvement legislation are based on erroneous assumptions.

We hope that you will make this information available to your editorial staff so that anyone covering this campaign will have access to both sides of the story. Please feel free to contact us if you wish more information on this issue.

Very truly yours,

Catherine Short