

Pro-Life Success in the States: Strategies for the Current Decade and Beyond

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Pro-Life Science and Technology Conference

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Quick Commercial

- Two Exciting New Pro-Life Initiatives
 - 1) Charlotte Lozier Institute
 - 2) Notre Dame's Vitae Institute

Types of Presentations

Types of Presentations

1) Fun

Presented at Pro-Life Events

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2) Serious

Presented at Technology Conferences

Types of Presentations

1) Fun

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3) Fun and Serious

Presented at Pro-Life Technology Conferences

Why Study Pro-Life Legislation?

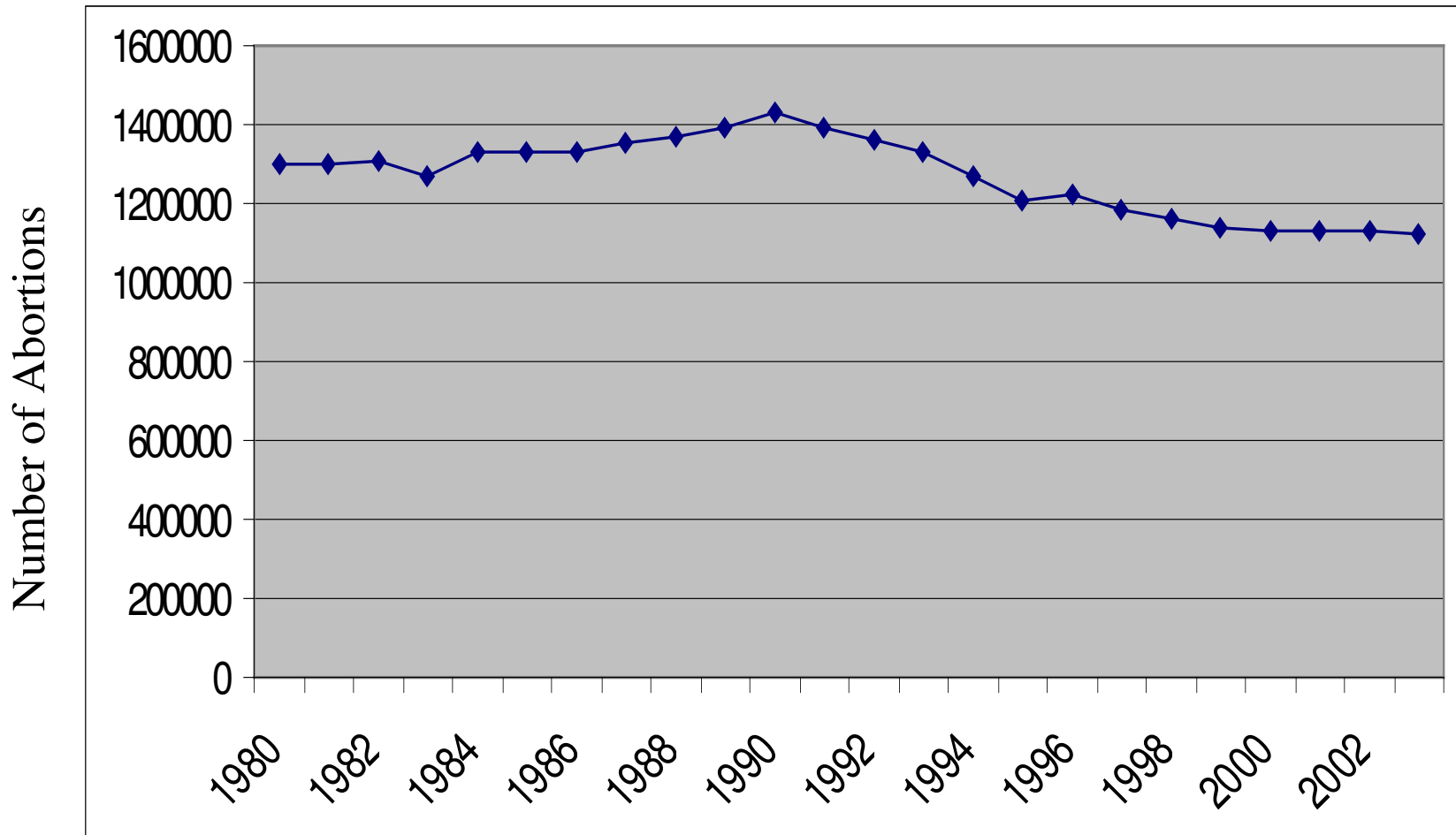
Why Study Pro-Life Legislation?

- Adoption of Better Legislative Strategies

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- Adoption of Better Legislative Strategies
- Document Pro-Life Progress

Charting Pro-Life Progress



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Why Study Pro-Life Legislation?

- Adoption of Better Legislative Strategies
- Document Pro-Life Progress
- Strengthen the Case for Pro-Life Political Activity

Strategies for Reducing Abortion

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- **What Works**

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- Sexual Restraint

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- **What Does Not Work**
- More Welfare Spending
- Universal Health Care
- More Spending on Contraceptives

Declining Abortion Rates

- Between 1990 and 2005 the number of abortions has declined by 22%

Incorrect Explanations

- The Election and Re-Election of President Clinton (Roche, Stassen)

Partially Correct Explanation

- Strong Economy

Better Explanation

- Pro-Life Legislation

Strategies of the Pro-Life Movement

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- 1973-1983 Human Life Amendment

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- 1973-1983 Human Life Amendment
- 1983-1992 Changing the Supreme Court
- 1992-present State Level Activism

Three events that resulted in more
pro-life legislation in the states

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1) *Casey vs. Planned Parenthood* (1992)

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Three events that resulted in more pro-life legislation in the states

- 1) *Casey vs. Planned Parenthood* (1992)
- 2) Pro-Life Defeat in the 1992 Presidential Election
- 3) Pro-Life Success in the States during the 1994 Midterm Elections

Pro-Life Gains in the States

	1992	2005
Parental Involvement Laws	20	36
Informed Consent Laws	0	35
Waiting Periods	0	11
Partial Birth Abortion Bans	0	12

Reasons for this Increase in Legislation

- *Casey vs. Planned Parenthood* (1992)
- Republican victories in state legislatures

State legislatures controlled by Republicans

- | | |
|--------|----|
| • 1992 | 8 |
| • 1994 | 19 |
| • 2000 | 18 |

What Effects Have These Laws Had?

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Consensus About Public Funding Restrictions

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Case Studies of an Individual State (NC)

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- Medoff 2002
- New 2011

Case Studies of an Individual State (NC)

Consensus About Parental Involvement Laws

- Reduce in-state minor abortion rates
- Time Series-Cross Sectional Data
 - Haas-Wilson 1993;1996
 - Ohsfeldt and Gohman 1994
 - New 2007;2010;2011
- Case Studies of Individual States
 - Cartoof and Klerman (MA) 1986
 - Ellertson (MN, IN) 1995
 - Rogers et al. (MN) 1991
 - Joyce, Kaestner Colman (TX) 2006

Ongoing Debates About The Effects of Parental Involvement Laws

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Conclusions From the Academic Literature

- Both Parental involvement laws and Medicaid funding restrictions reduce the number of abortions taking place
 - Both in-state and out-of-state

Shortcomings in the Academic Literature

- Studies only examine parental involvement laws and Medicaid funding restrictions
- Most only use data from either Center for Disease Control (CDC) or the Alan Guttmacher Institute (AGI)
- All legislation is treated monolithically

State Data on Abortions

- Center for Disease Control (CDC)
Collected every year from every state.
Inconsistencies with how some states report data
- 2) Alan Guttmacher Institute (AGI)
Data not collected every year
They survey abortion clinics so data collection is more consistent

Data on State Legislation

- Annual Volumes of NARAL's *Who Decides?* (1989-2000)
- Jon Merz, Catherine Jackson, and Jacob Klerman, "A Review of Abortion Policy: Legality, Medicaid Funding, and Parental Involvement, 1967-1994." *Women's Rights Law Reporter* 17, no. 1 (1995): 12-57

Regression Analysis

- Multiple factors can influence the incidence of abortion (strength of the economy, demographics, legislation)
- Regression analysis allows us to “hold constant” the different factors to focus on the impact of legislation

Four Dependent Variables

- 1) Abortion Rate: (CDC Data) Number of Abortions per thousand women between the ages of 15-44
- 2) Abortion Rate: (AGI Data) Number of Abortions per thousand women between the ages of 15-44
- 3) Abortion Ratio: (CDC Data) Number of Abortions per thousand live births
- 4) Abortion Ratio: (AGI Data) Number of Abortions per thousand live births

Factors Held Constant

- Racial demographics of women between the ages of 15-44
- Age demographics of women between the ages of 15-44
- Annual change in state per capita personal income growth
- Year indicator variables
- State indicator variables

Pro-Life Legislation Analyzed

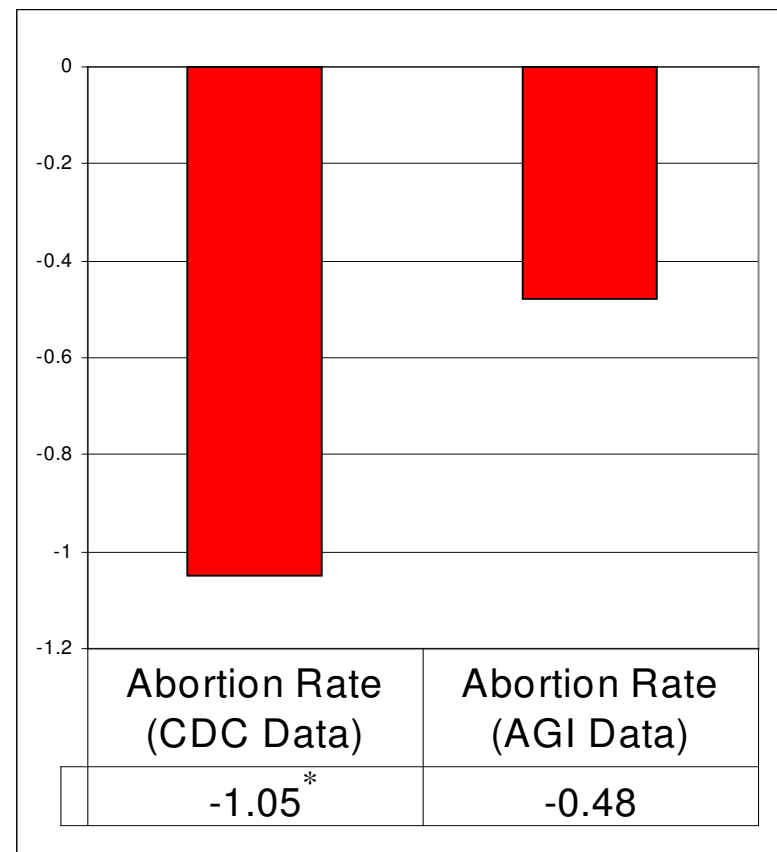
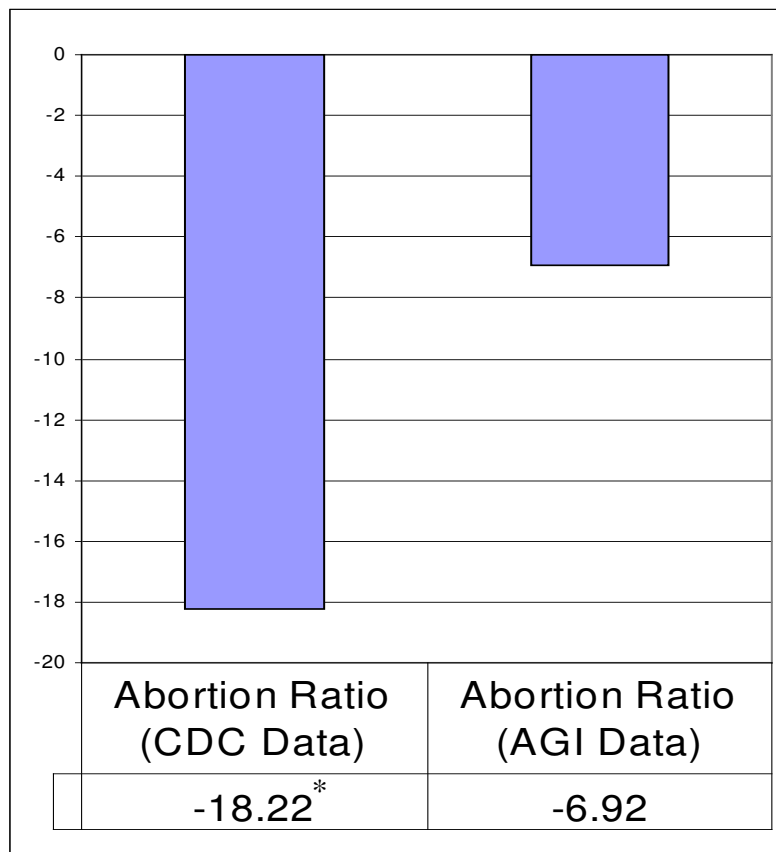
- Parental Involvement Laws
- Informed Consent Laws
- Medicaid Funding Restrictions
- Partial Birth Abortion Bans
- Waiting Periods

Regression Results

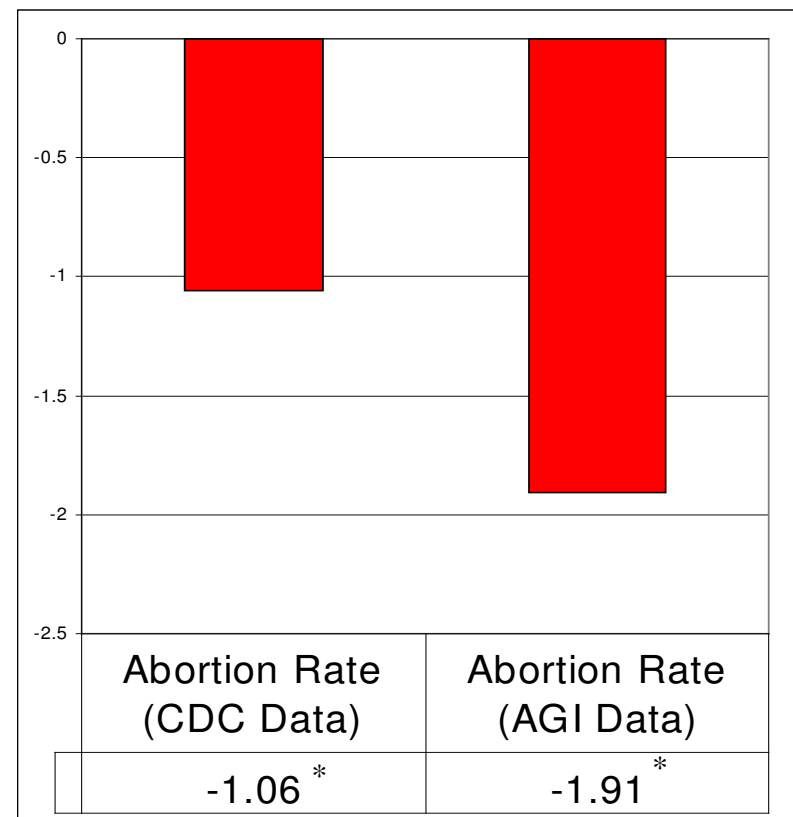
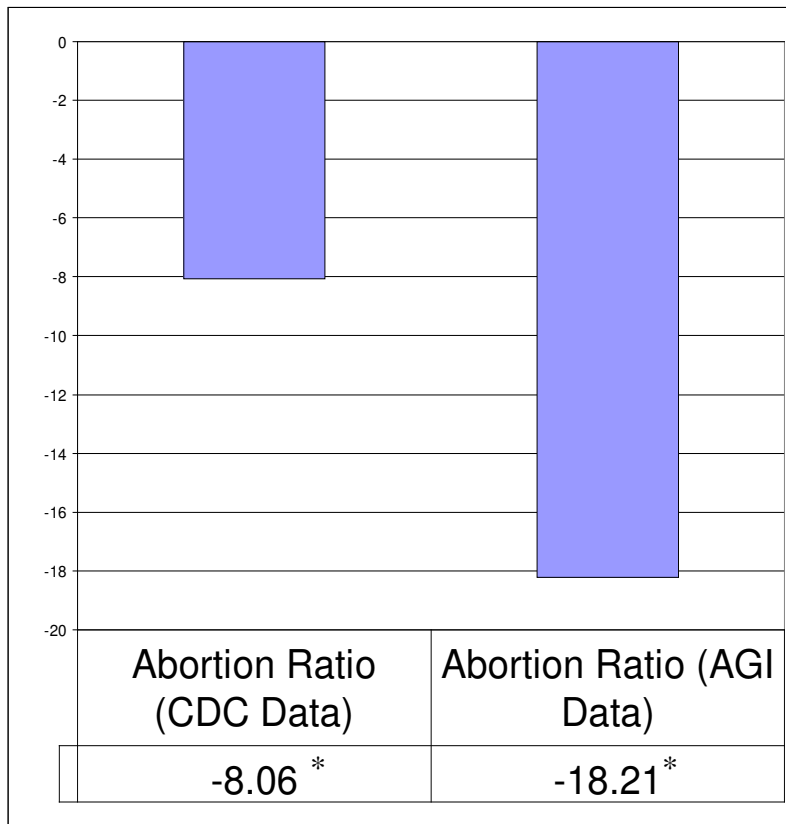
	Abortion Ratio	Abortion Rate	Abortion Ratio	Abortion Rate
Data Source	CDC	CDC	AGI	AGI
Parental Involvement	-18.22*	-1.05*	-6.92	-0.48
Informed Consent	-8.06*	-1.06*	-18.21*	-1.91*
Medicaid Funding Restrictions	-31.68*	-2.16*	-33.81*	-2.47*
Partial Birth Abortion Ban	-14.74*	-1.02	-52.59*	-1.86

* indicates a statistically significant difference ($p < .10$)

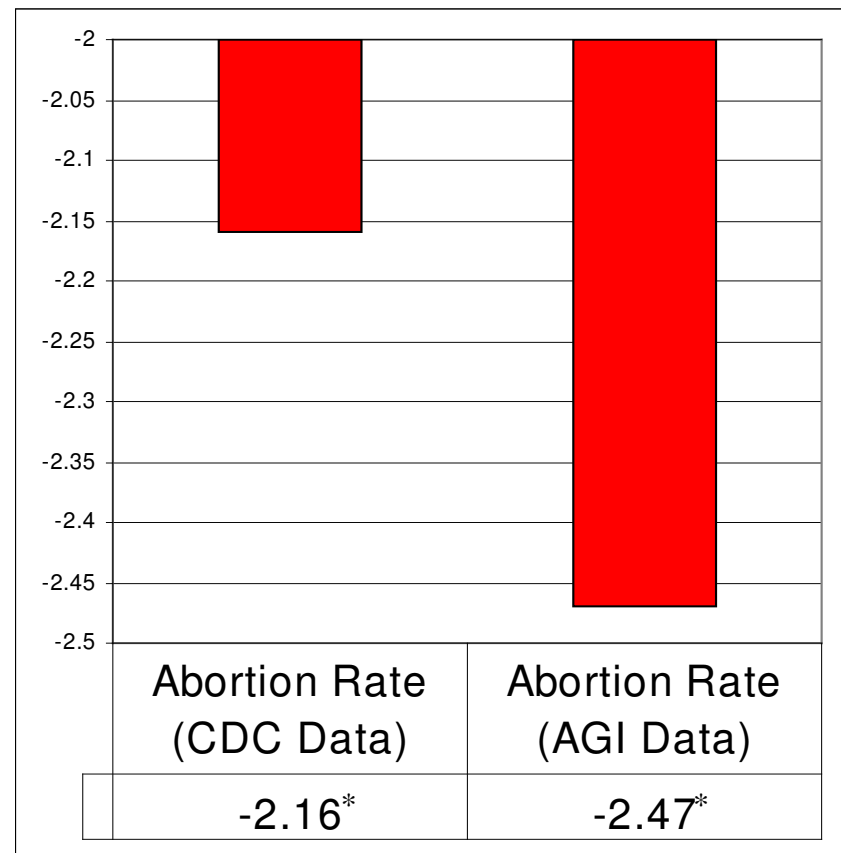
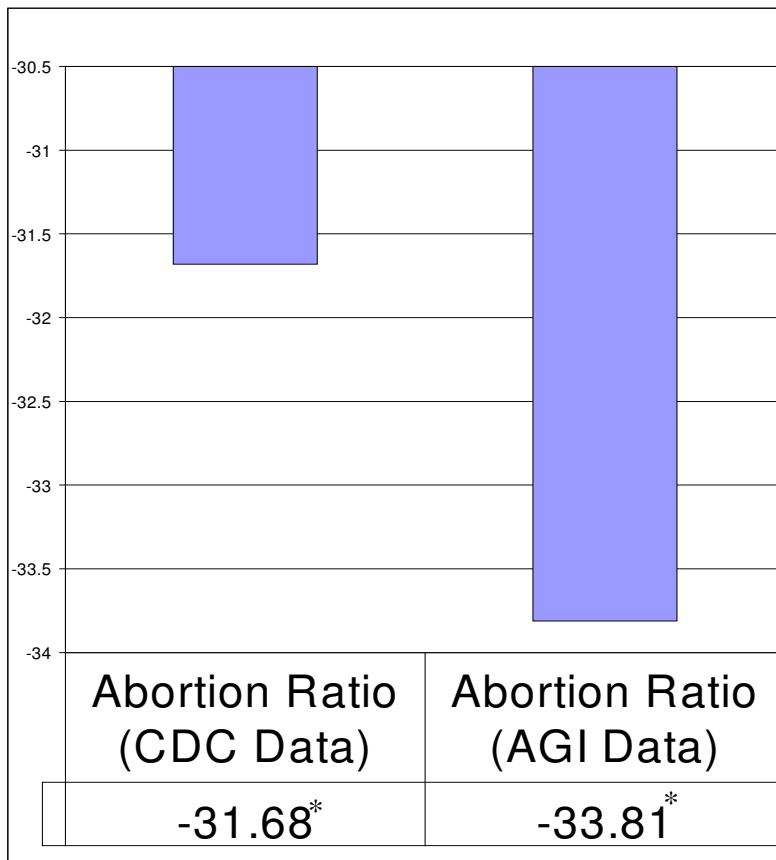
Regression Results: Parental Involvement



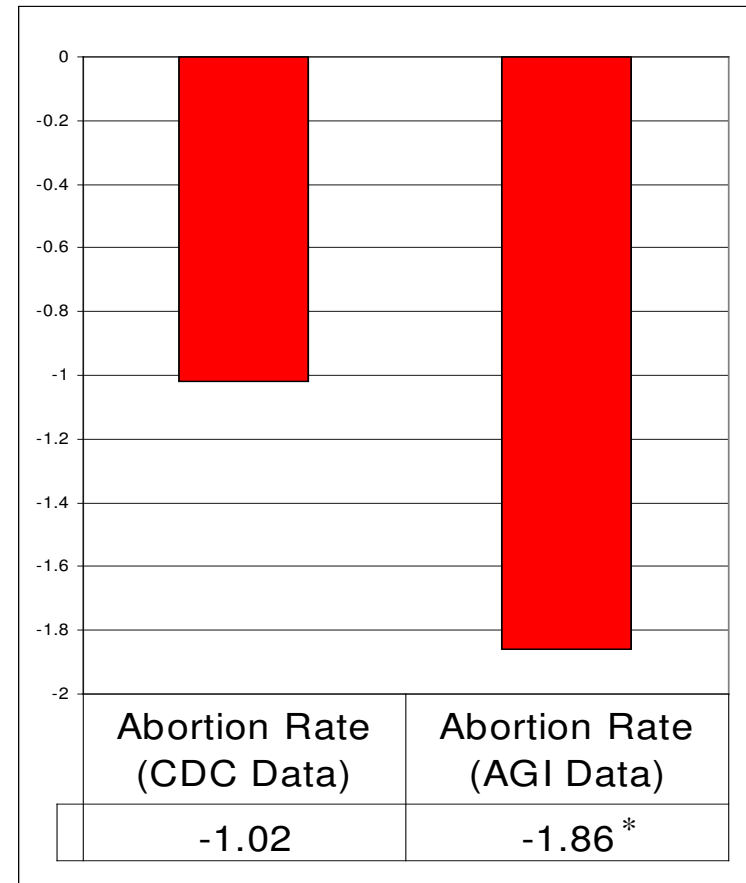
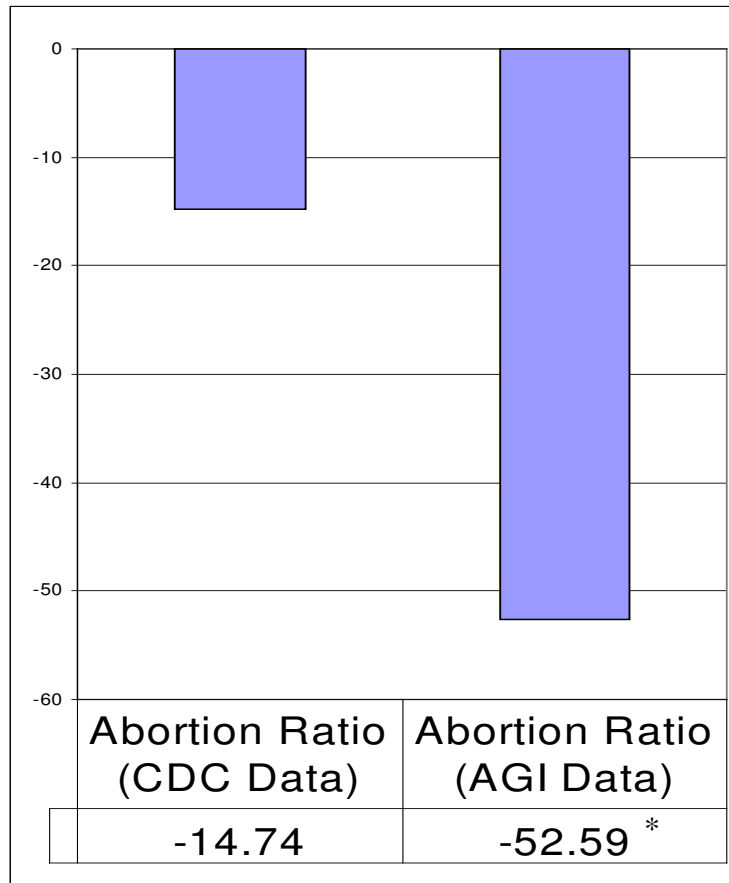
Regression Results: Informed Consent



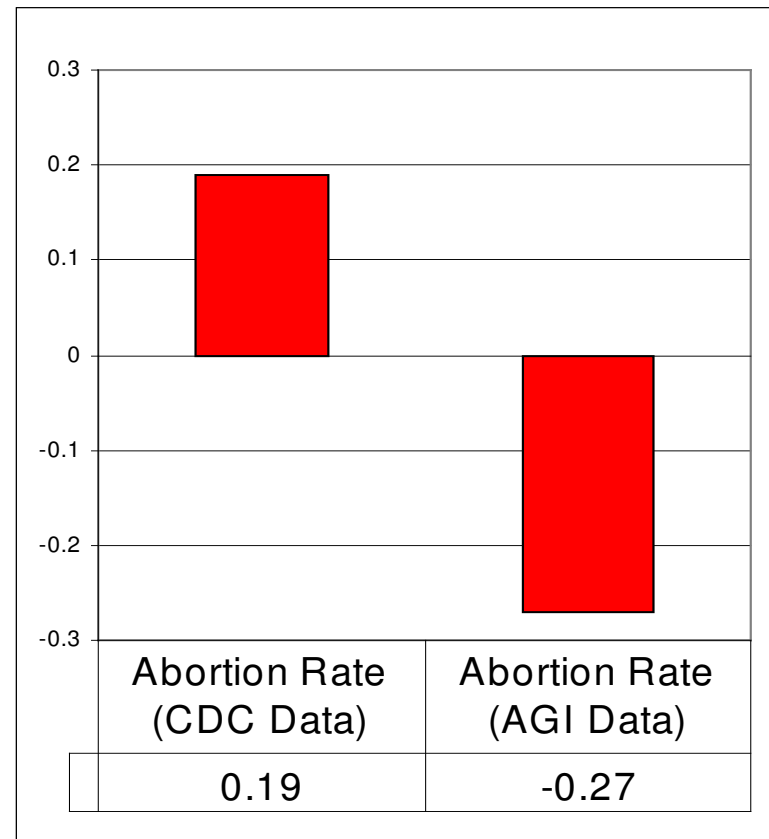
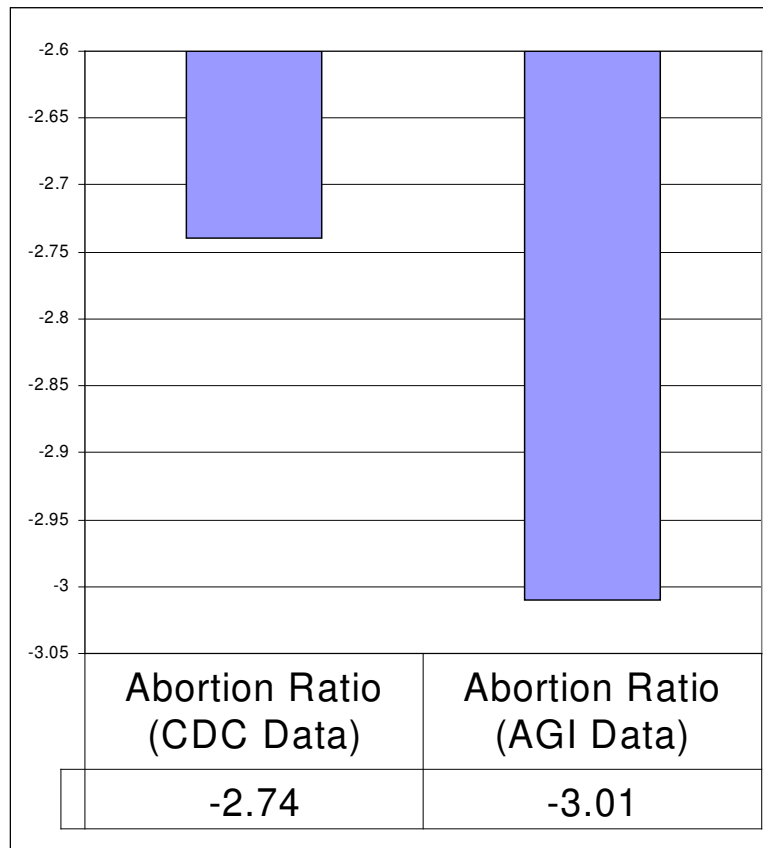
Regression Results: Public Funding Restrictions



Regression Results: Partial Birth Abortion Bans

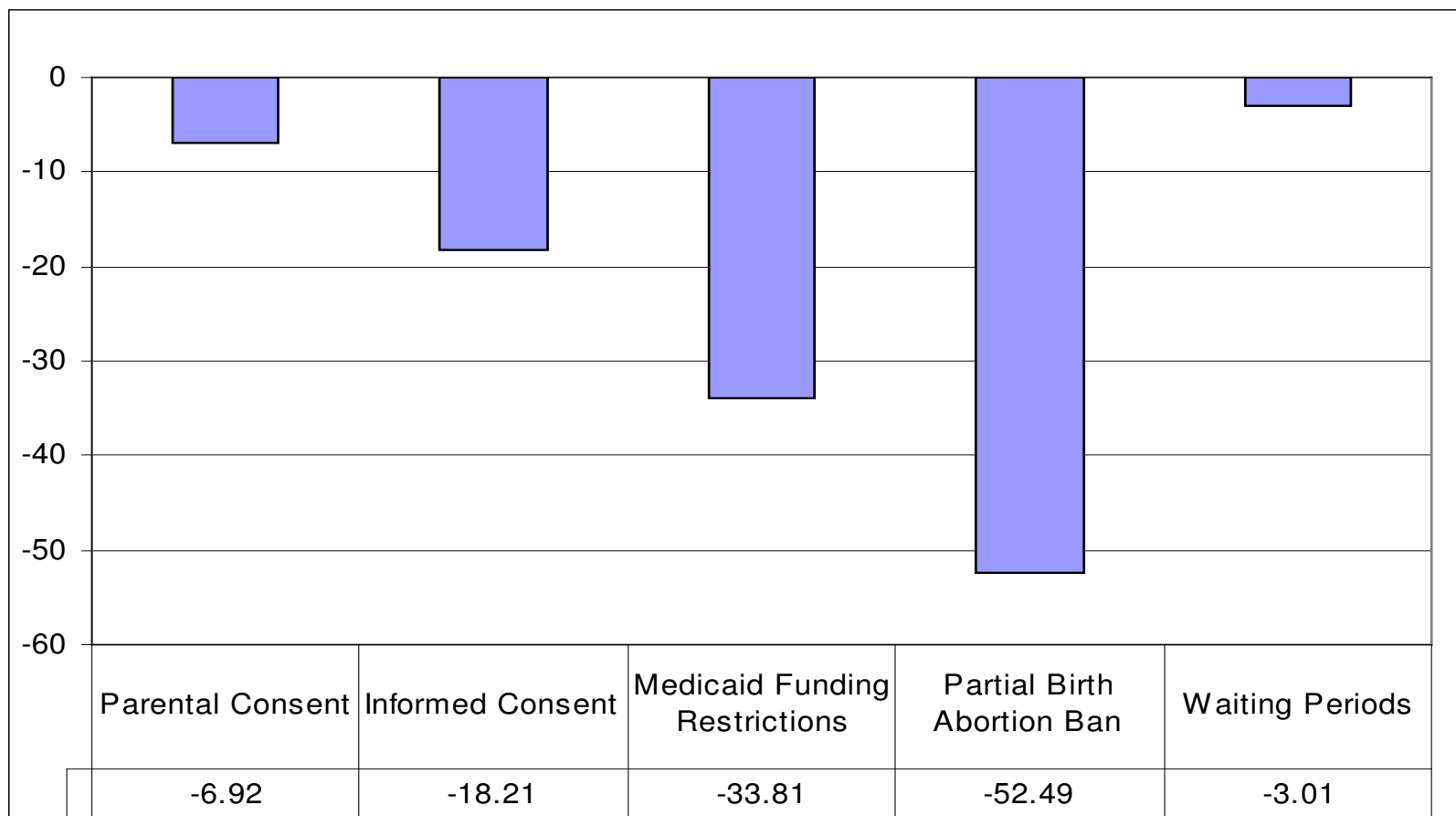


Regression Results: Waiting Periods



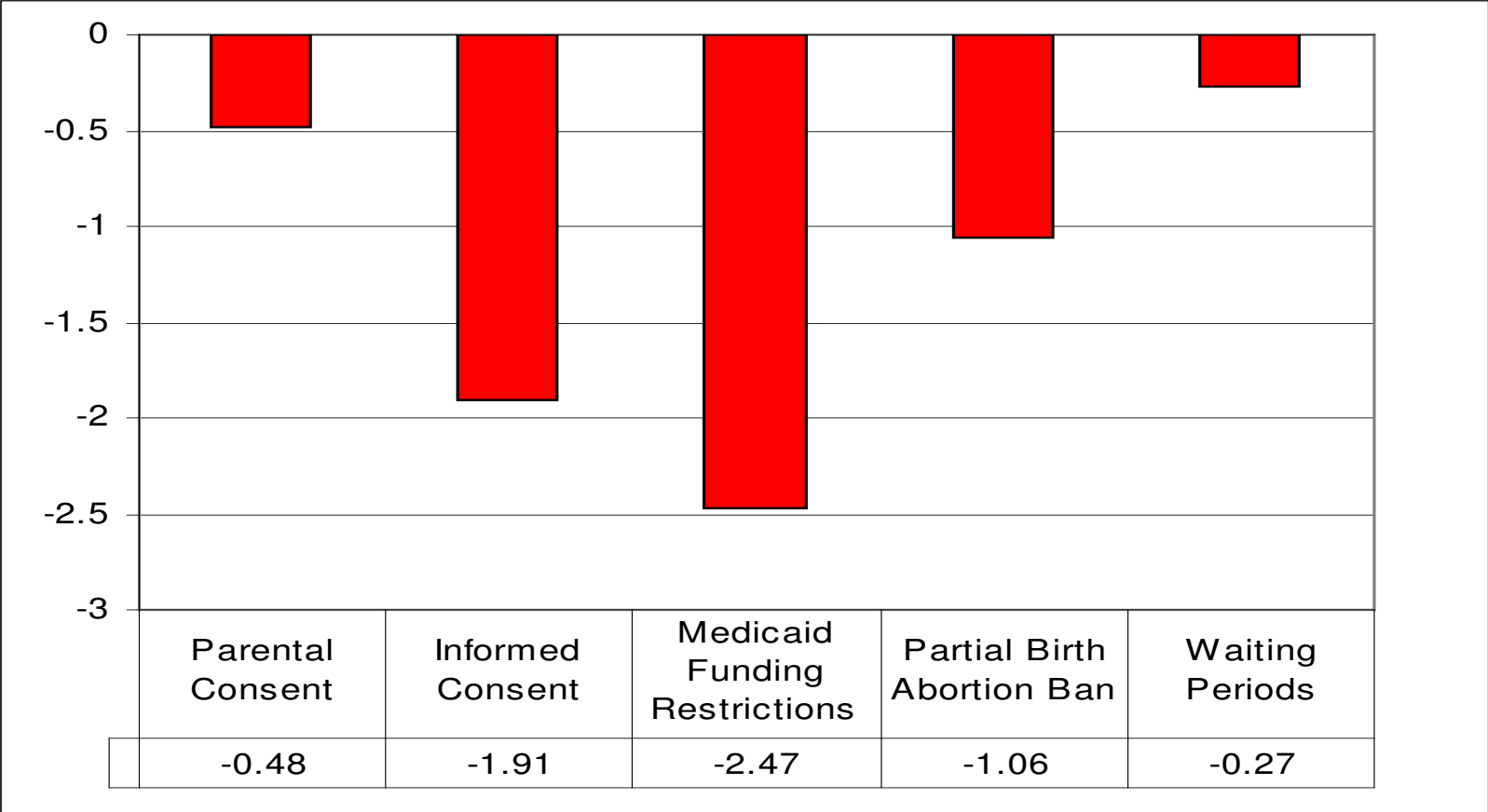
Comparing Different Types of Legislation

(Change in the Number of Abortions per Thousand Live Births, CDC Data)



Comparing Different Types of Legislation

(Change in Number of Abortions Per Thousand Women 15-44, CDC Data)



Endogeneity Problems?

- The passage of pro-life legislation is not something that occurs randomly
- States that pass pro-life legislation differ from other states.
- The changing values and not the legislation could account for the decline in abortions

Solution 1: Run an experiment

- Not practical

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- Not practical
- Might be a disaster

Solution 2: Natural Experiments

- Often times pro-life legislation is nullified by a judge
- This creates some nice natural experiments
- These states have passed the legislation, but legislation did not actually take effect

Recent judicial nullifications of parental consent laws

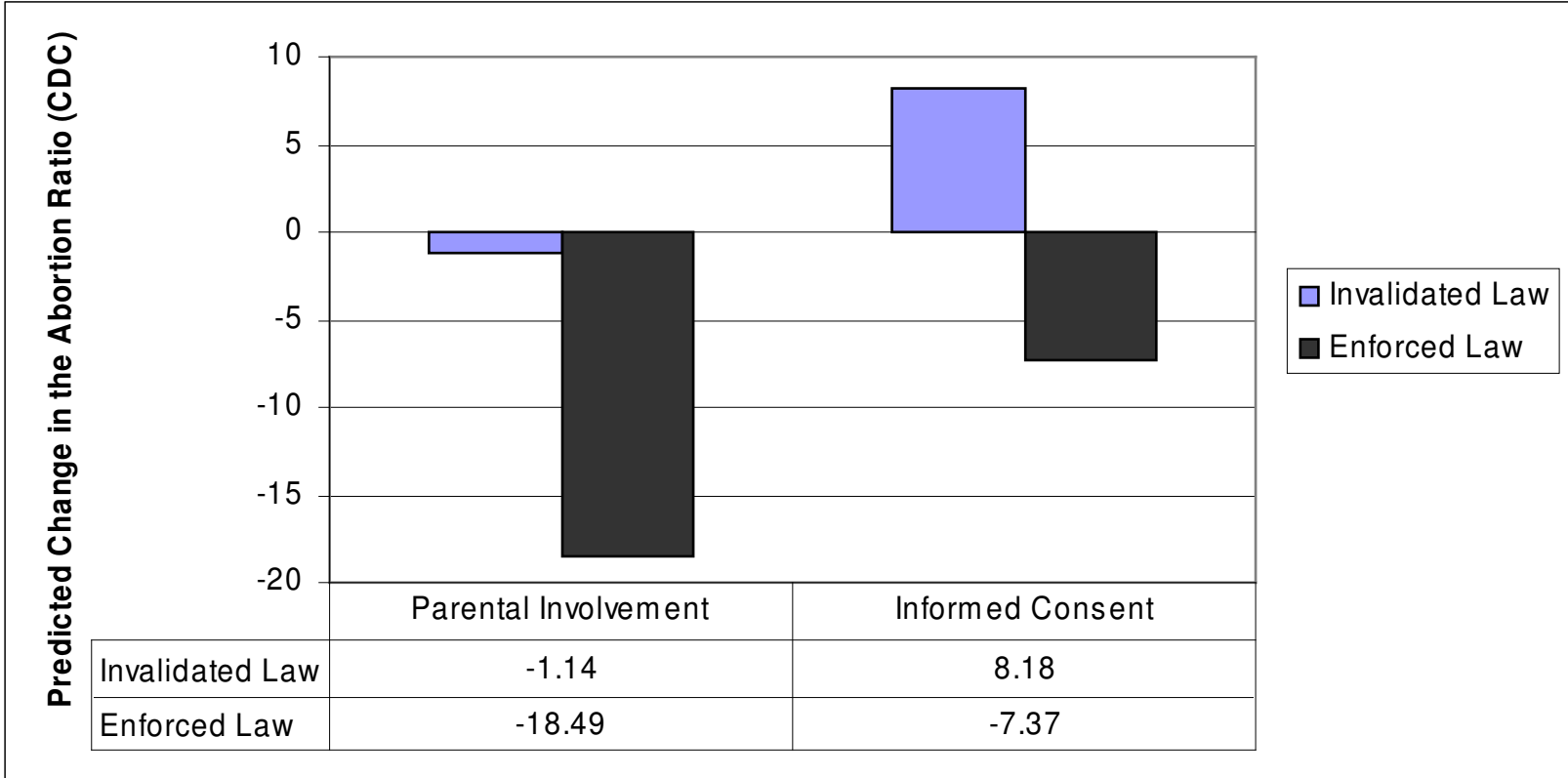
- Georgia: July 1987 to September 1991
- Minnesota: November 1986 to October 1990
- Mississippi: July 1986 to July 1993
- South Dakota: July 1993 to July 1997
- Tennessee: October 1989 to February 1992
- Tennessee: July 1996 to July 1999

Recent judicial nullifications of informed consent laws

- Indiana 1995-2003
- Michigan 1995-1999

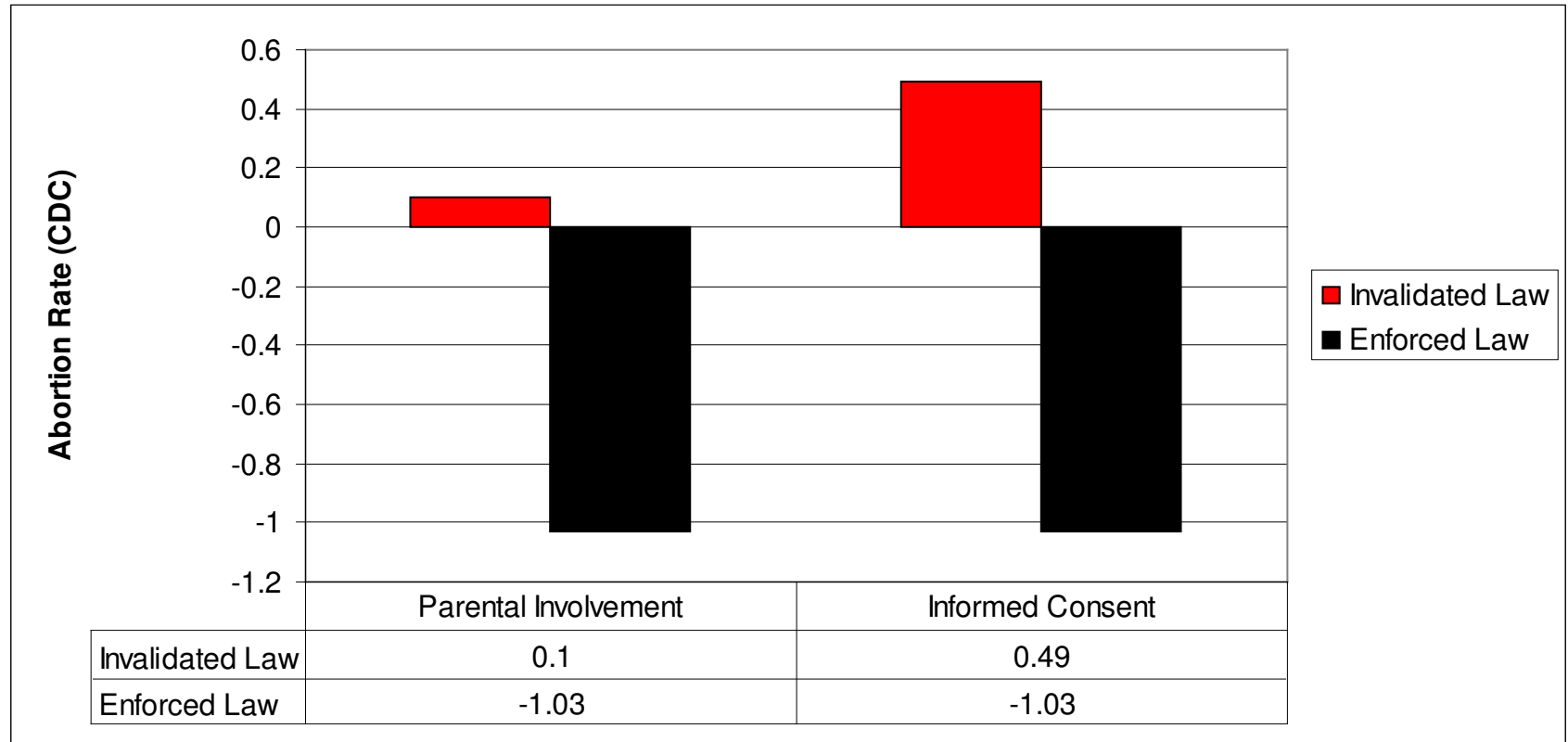
Enforced Laws vs. Invalidated Laws

Abortions per thousand live births



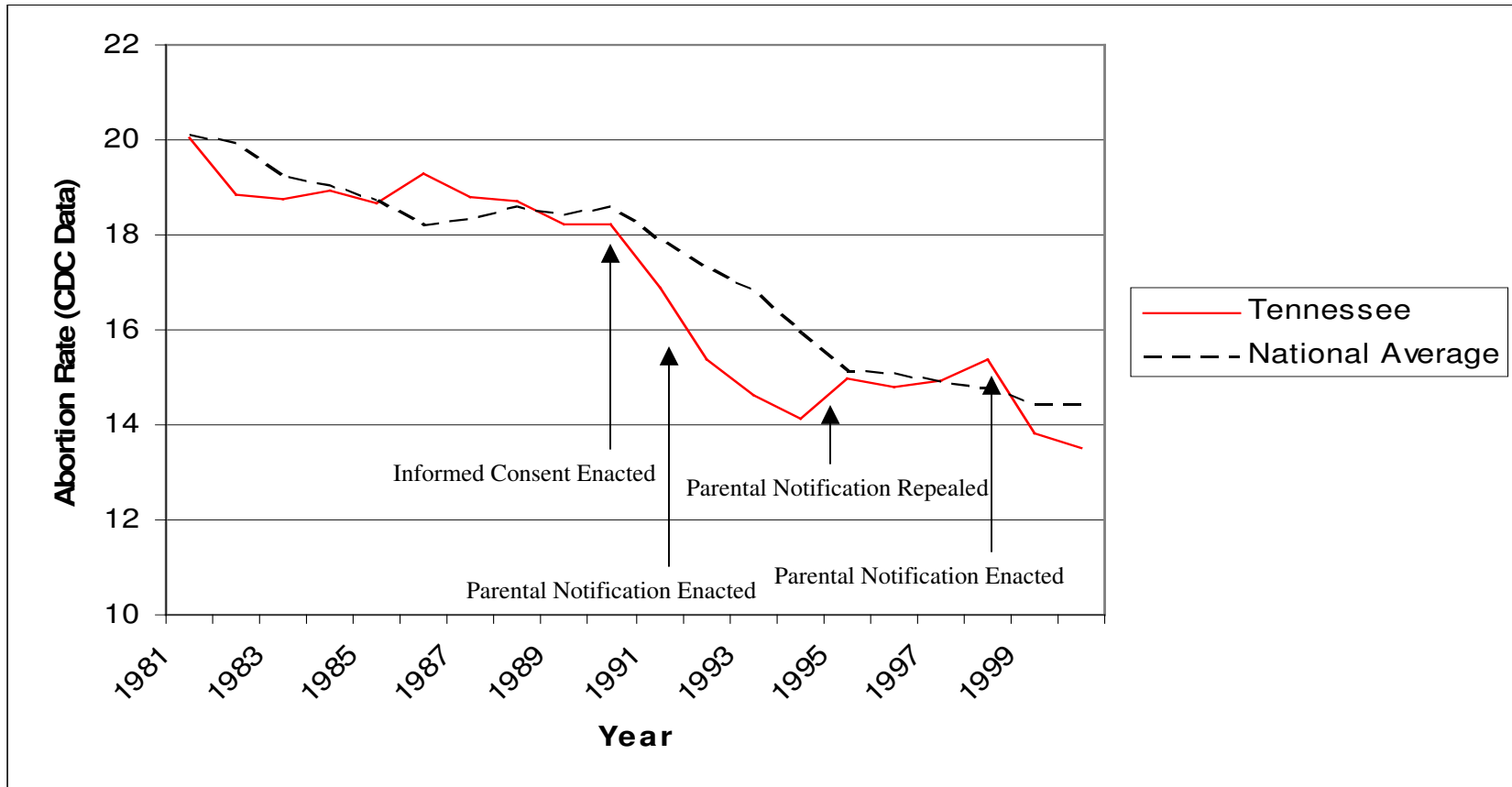
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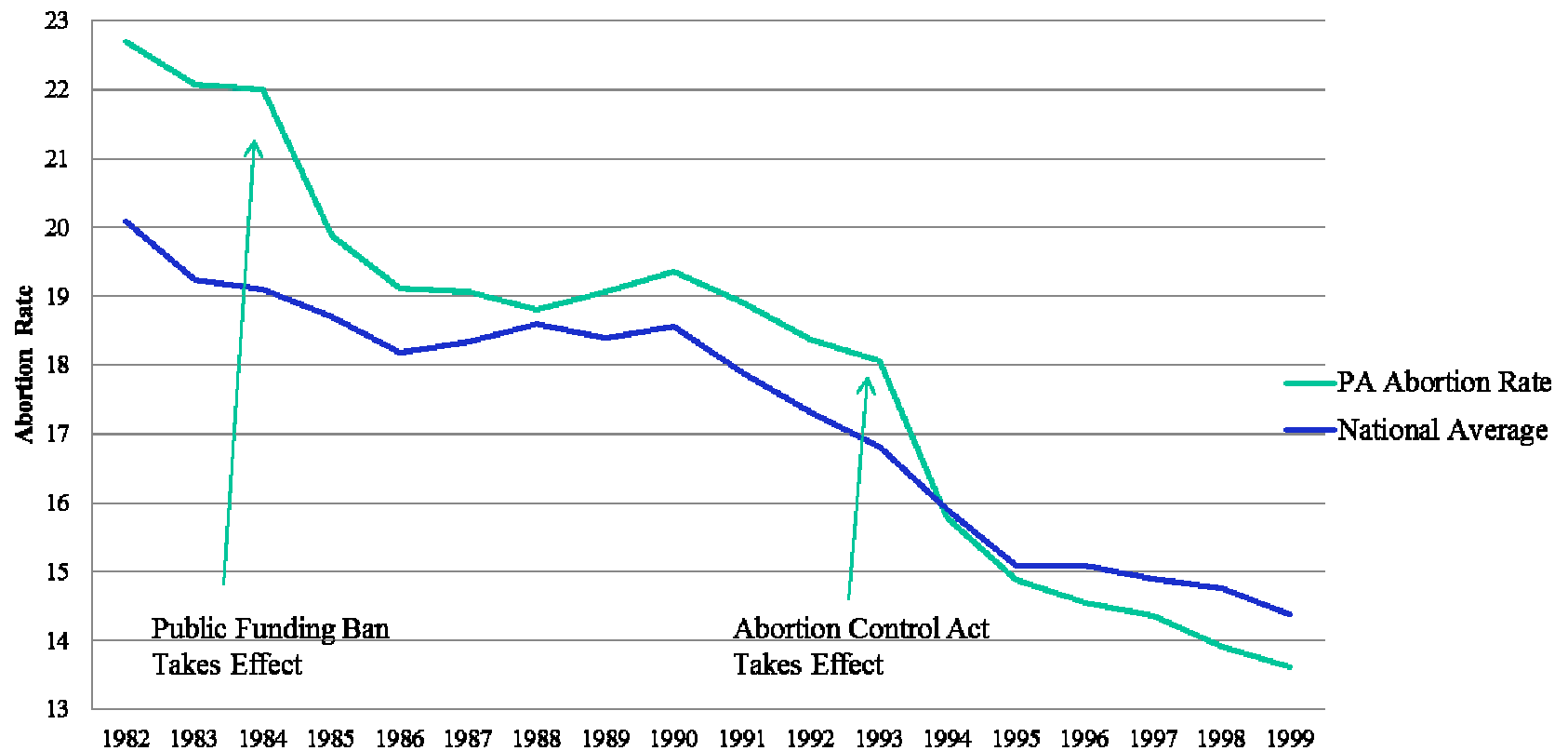
Skeptical?

Case Study Tennessee: Pro-Life Legislation and the Abortion Rate



Still Skeptical?

Overall Abortion Trends in PA



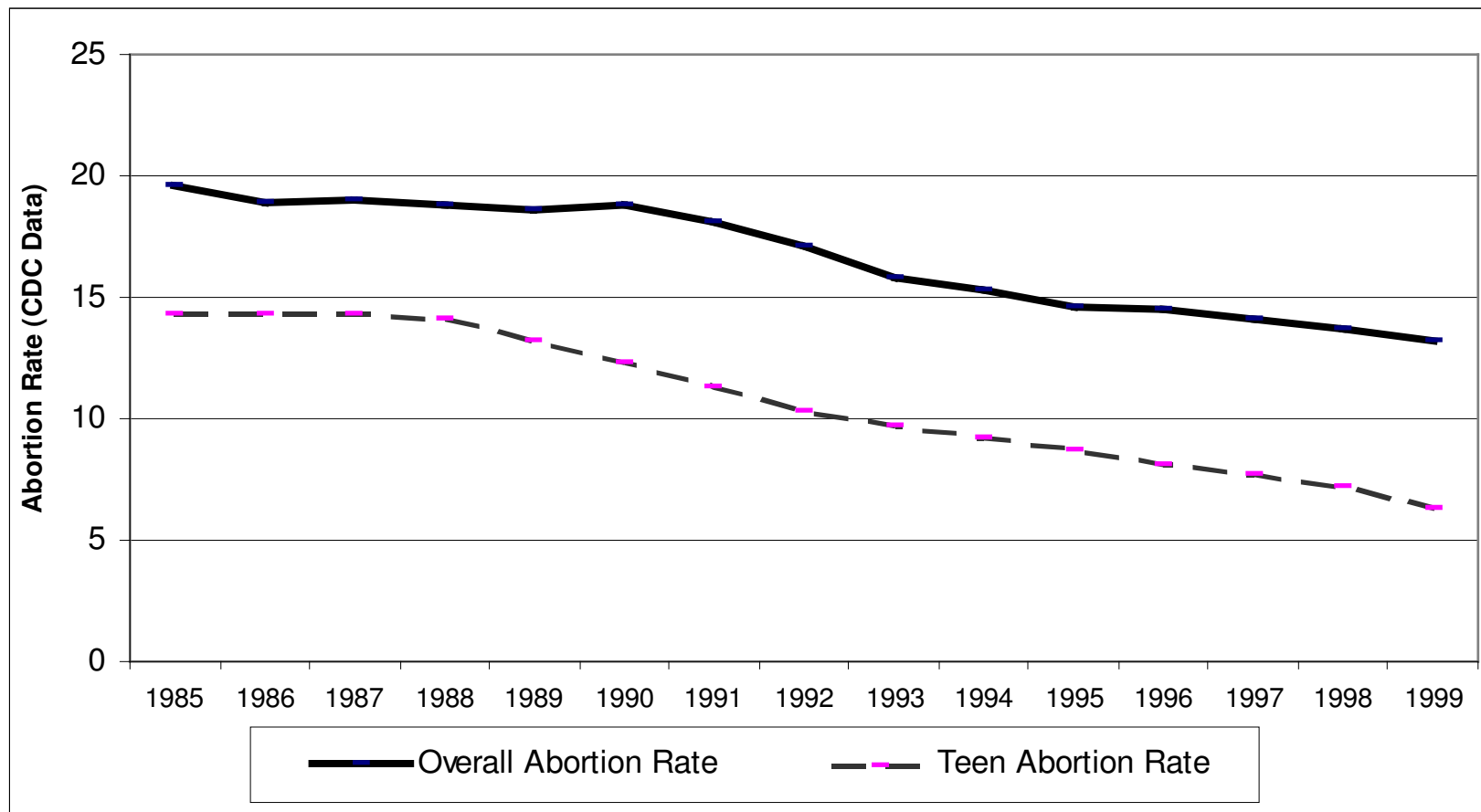
Current Research

- Analyzing the Decline in the Abortion Rate Among Minors

Falling Teen Abortion Rates

- Between 1985 and 1999, the Overall Abortion Rate has declined from 19.6 to 13.1 (33% decline)
- Between 1985 to 1999 the Teen Abortion Rate fell from 14.3 to 6.3 (56% decline)

Comparing the Teen Abortion Rate to the Overall Abortion Rate



Reasons for the Decline in Teen Abortions

- Pro-Life Legislation
- Reduced Sexual Activity

Continuing the Analysis

Teen Abortion Rate

- To calculate the incidence of abortion among minors I will calculate the teen abortion rate.
- It will equal the number of abortions performed on minors under 18, for every thousand females between 13 and 17.

Regression Analysis

- **Dependent Variable: Teen Abortion Rate**

(every state from 1985 to 1999)

- **Independent Variables**

- Racial demographics of women between the ages of 13-17

- Annual change in state per capita personal income growth

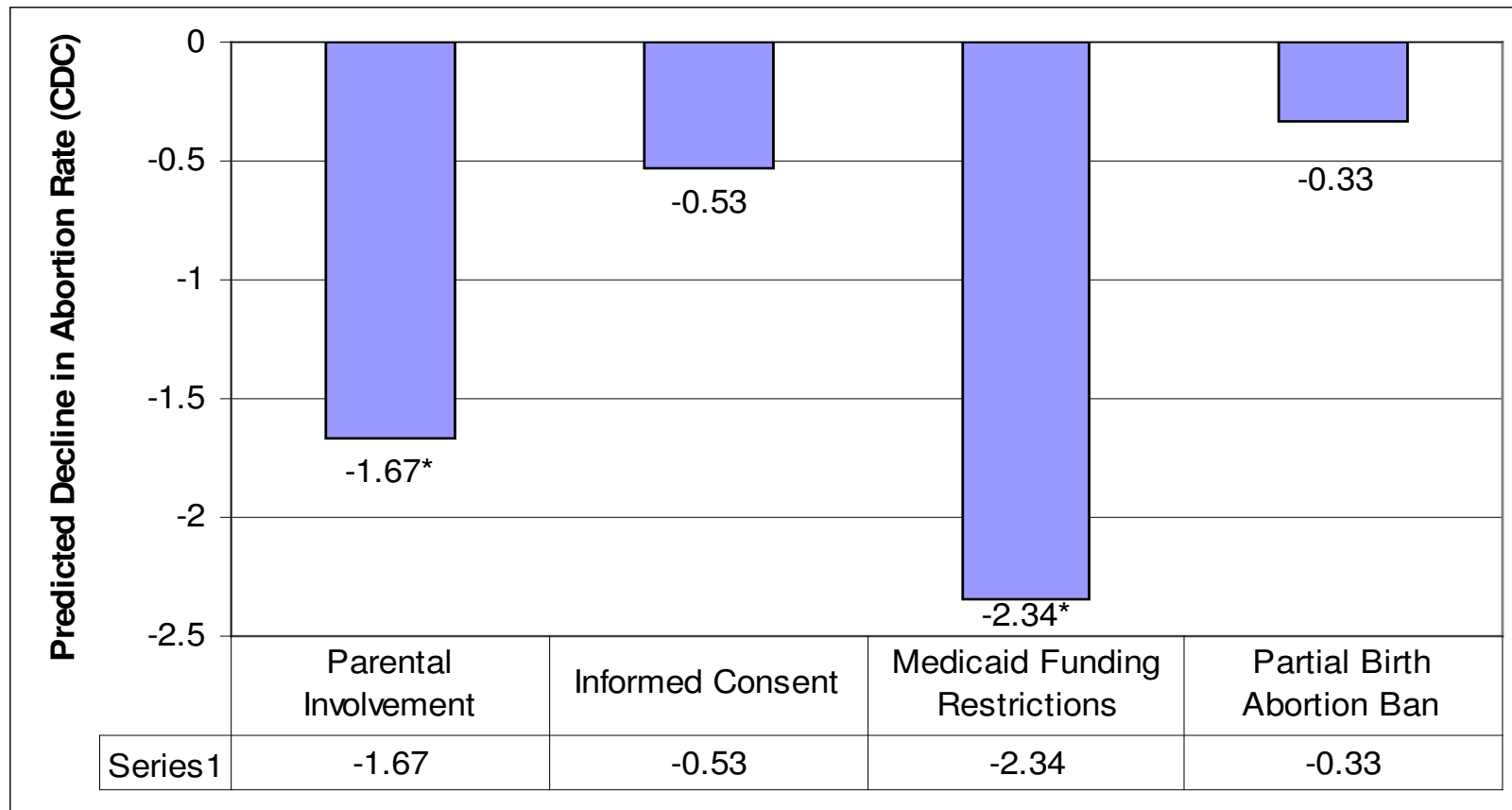
- Year indicator variables

- State indicator variables

Pro-Life Legislation Analyzed

- Parental Involvement Laws
- Informed Consent Laws
- Medicaid Funding Restrictions
- Partial Birth Abortion Bans

The Impact of Pro-Life Legislation on the Incidence of Abortion Among Minors



Solving Endogeneity Problems

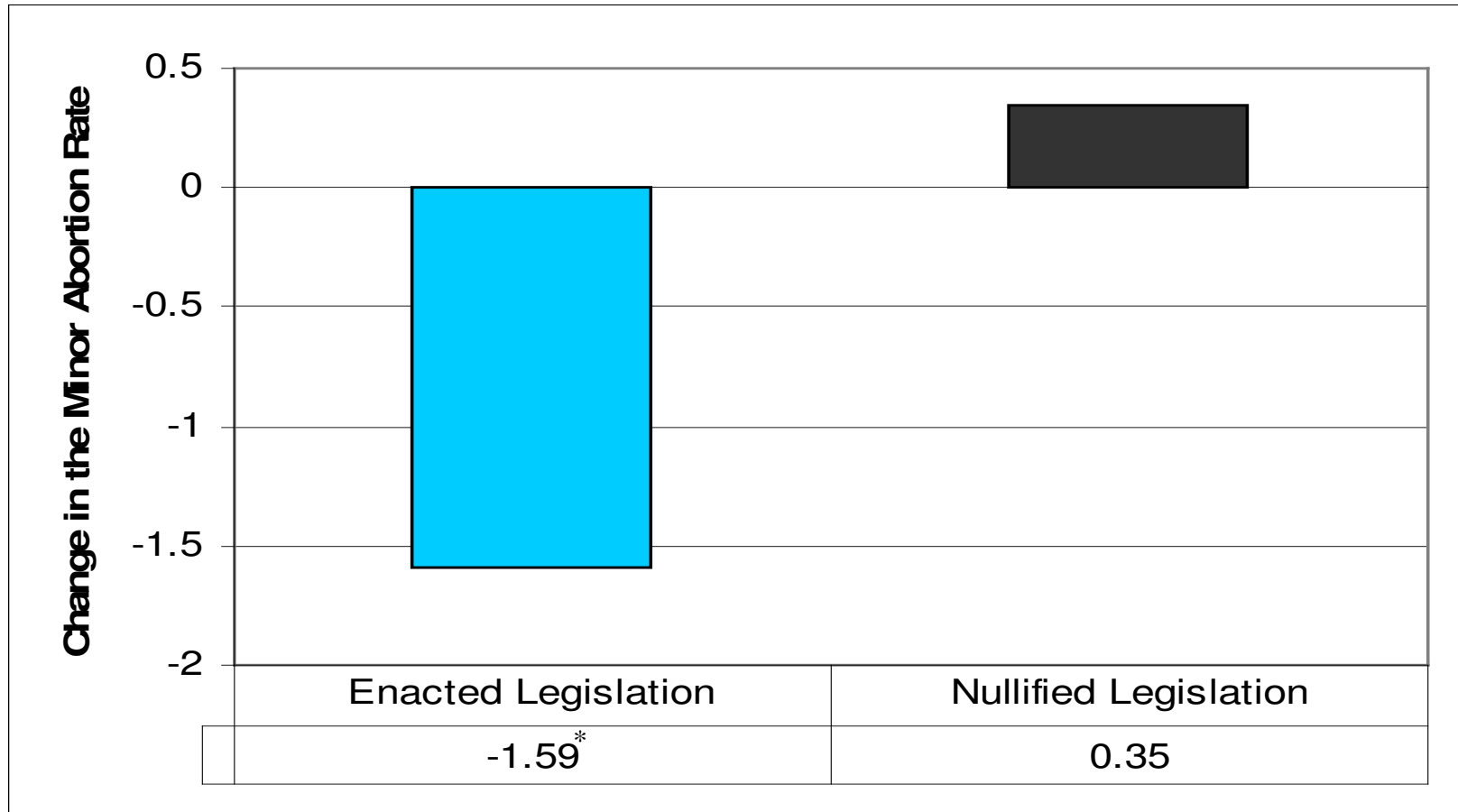
- Comparing Nullified to Enacted Legislation

Recent judicial nullifications of parental consent laws

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Solving Endogeneity

Enacted Legislation Versus Nullified Legislation (Teen Abortion Rate)



Looking at Different Types of Parental Involvement Laws

The Cliff Notes Version

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Type of law

Minor Abortion Rate

The Cliff Notes Version

Type of law

Minor Abortion Rate

Parental Involvement

-13 percent

The Cliff Notes Version

Type of law	Minor Abortion Rate
Parental Involvement	-13 percent
Parental Consent	-19 percent

The Cliff Notes Version

Type of law	Minor Abortion Rate
Parental Involvement	-13 percent
Parental Consent	-19 percent
Two Parent Involvement	-31 percent

Why two parent laws are more effective

- Any one parent can prevent an abortion from taking place
- Involving both parents might be logistically difficult
- Abortionists might be more likely to comply with two parent laws

A closer look at Minnesota, Mississippi and Pennsylvania
(Parental Involvement Laws)

Overall Abortion Trends in Pennsylvania

Figure 5: Minor Abortion Rates in Minnesota

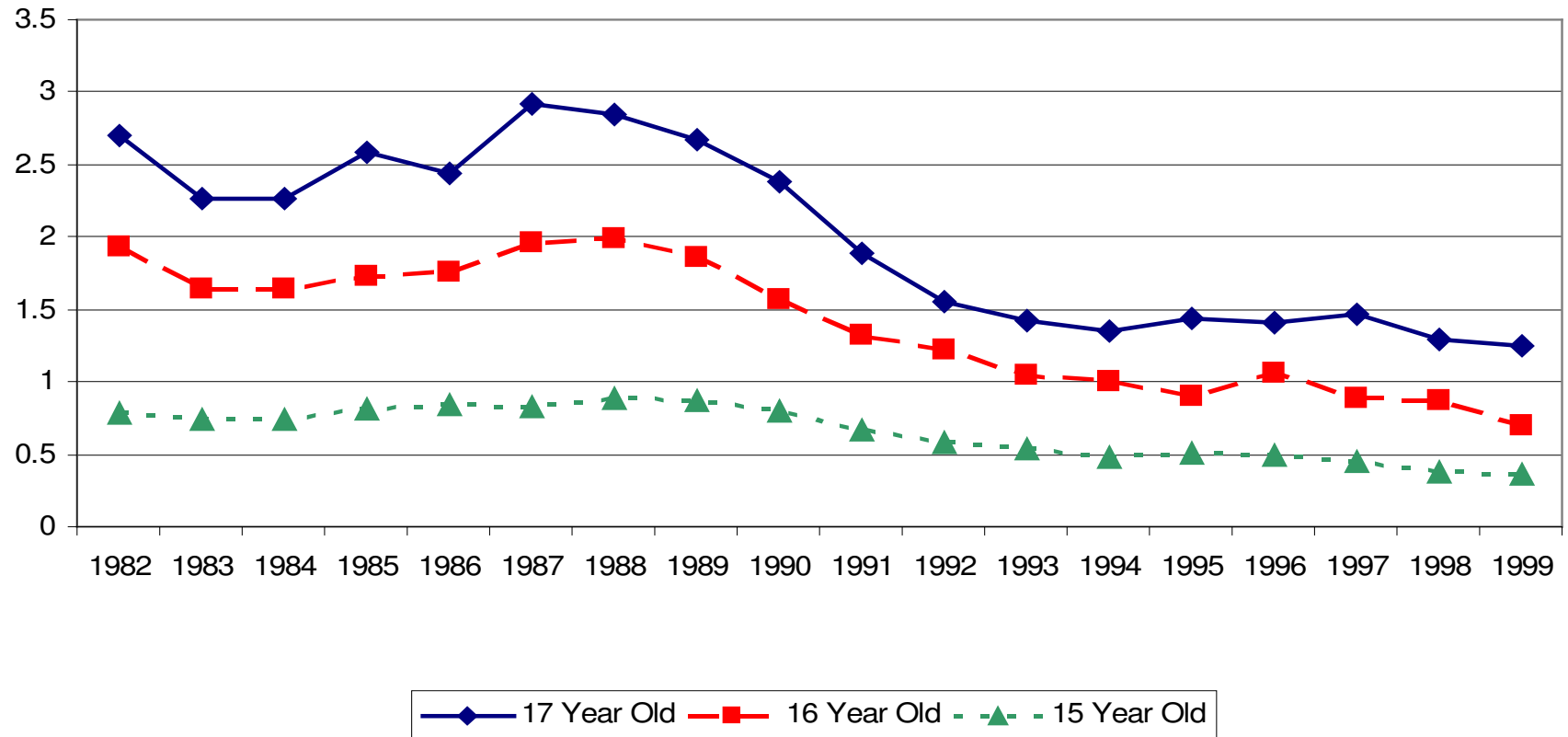
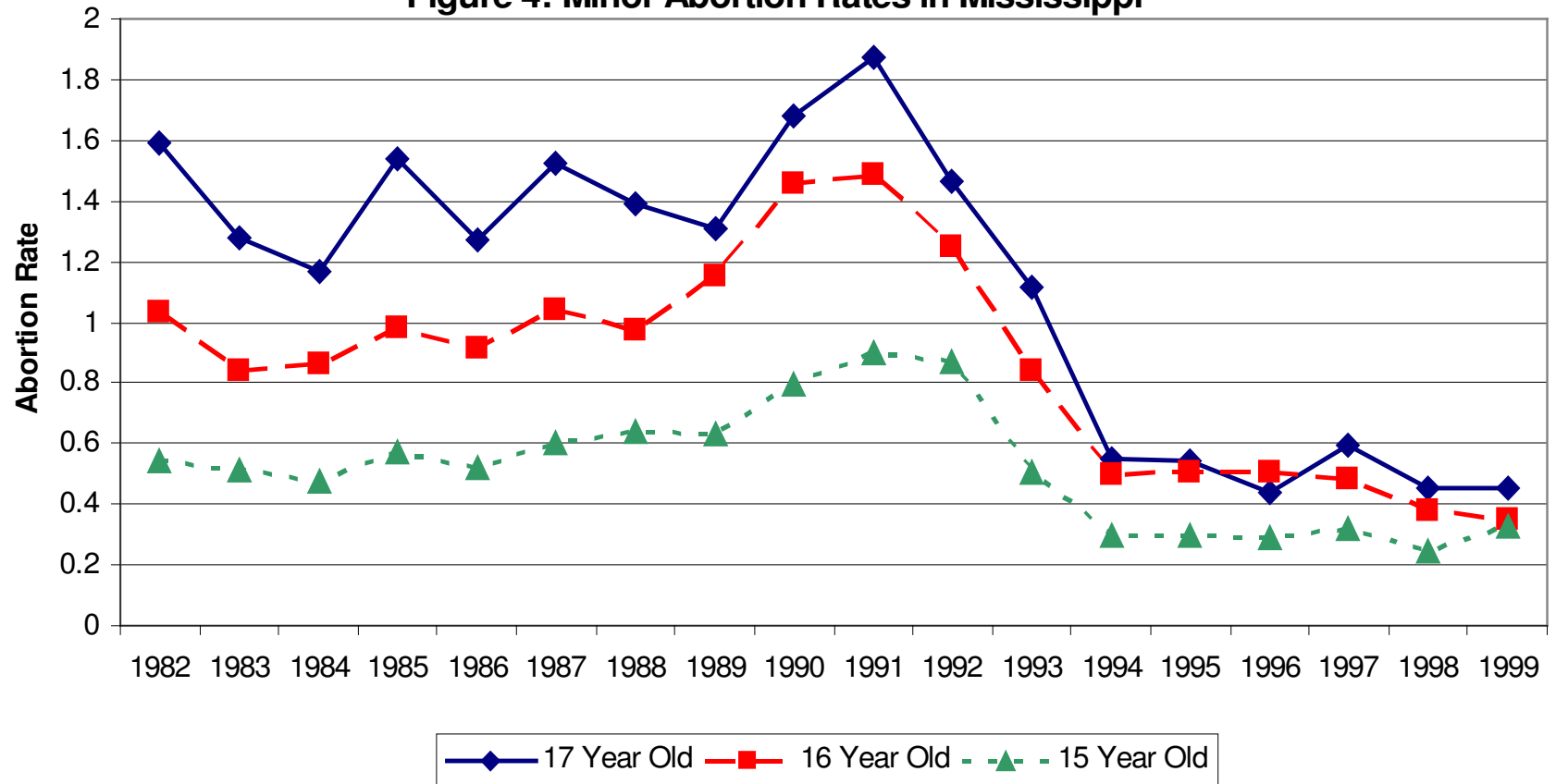
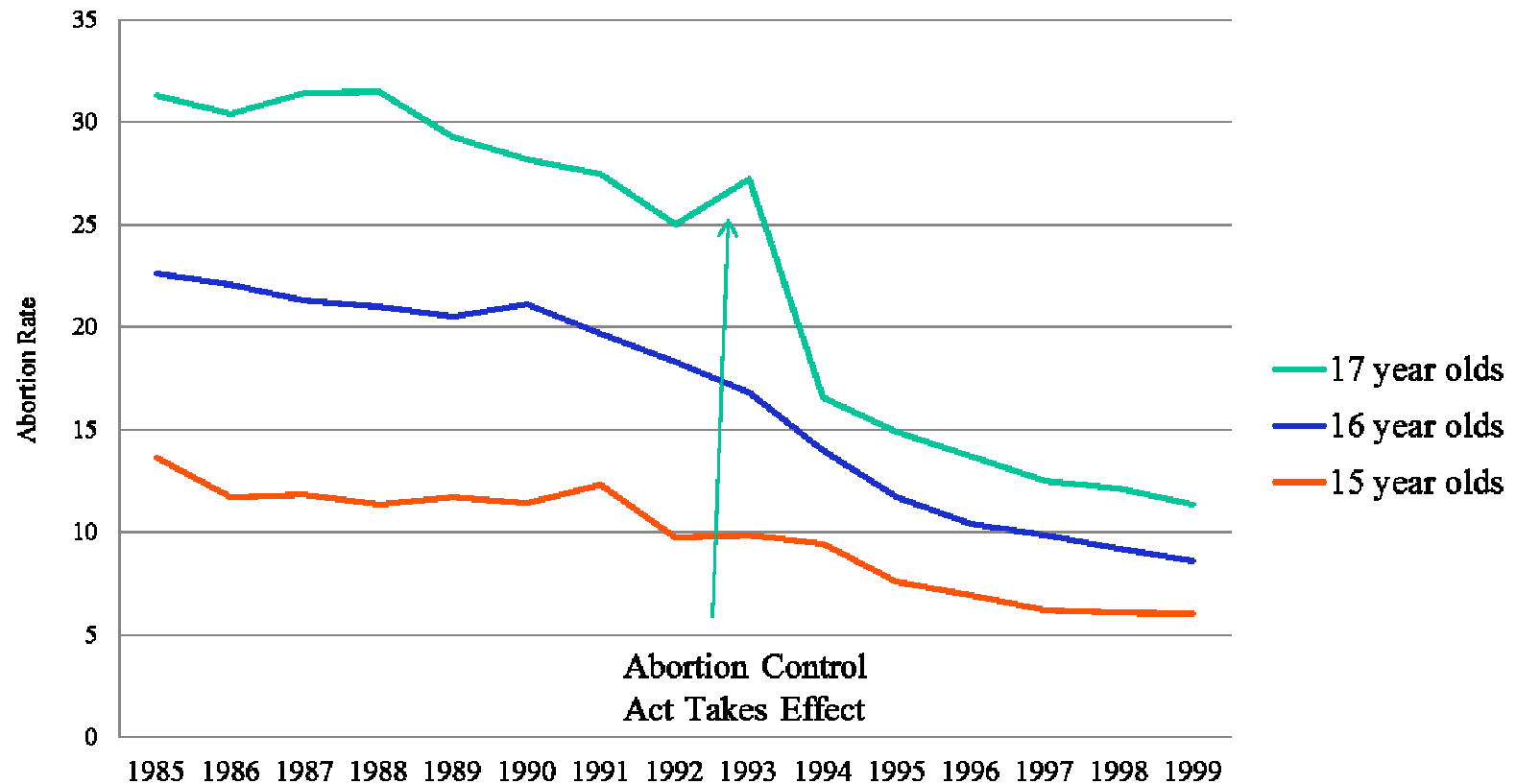


Figure 4: Minor Abortion Rates in Mississippi



Minor Abortion Trends in PA



New Legislative Measures

- Ultrasound requirements
- Already enacted in (AL, MS, OK)
- Not enough data to evaluate their effectiveness, but they are potentially a very effective tool.

New Legislative Measures

- Fetal Pain Bills
 - Signed into law in (Kansas, Idaho, Oklahoma Nebraska, Alabama)
 - Would ban abortions after 20 weeks
 - Might create another justification to legally protect the pre-born

Conclusions: Legislation

- State level pro-life legislation reduces abortion rates
- Natural experiments indicate that legislation are responsible for these abortion declines and not shifts in values.

Beyond Pro-Life Legislation

- Television Ads (Caring Foundation)
- Public support for Crisis Pregnancy Centers
- Ultrasounds
- Sidewalk Counseling

Why We Need To Be Optimistic

Reasons for Optimism

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- Pro-Lifers Control More State Legislatures

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- Pro-Lifers Control More State Legislatures
- We Have Passed More Pro-Life Laws
- More Youth Activism
- Better Pro-Life Outreach
- More Scrutiny For Planned Parenthood
- More Public Support For Pro-Life Position
- Fewer Abortions!

Conclusions

Since the 1990s, the pro-life movement enjoyed considerable success at:

- Enacting protective legislation
- 2) Devising approaches that are effective in persuading women to seek alternatives to abortion

Most Important Conclusion

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- We Have Made Progress!