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MEDIA BACKGROUNDER:

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AMA's *American Medical News* and Public Broadcasting's *Media Matters* Independently Report that Pro-Abortion Groups Have Badly Misled the Press and the Public About Partial-Birth Abortions

"The pro-choice movement has lost a lot of credibility during this debate, not just with the general public, but with our pro-choice friends in Congress. Even the White House is now questioning the accuracy of some of the information given to it on this issue. . . . I think we should tell them the truth, let them vote and move on."

— Ron Fitzsimmons, executive director, National Coalition of Abortion Providers

Leaders of prominent abortion industry associations and other pro-abortion groups have badly misled the press and the public regarding the key issues surrounding partial-birth abortions, according to new investigative reports by the AMA newspaper *American Medical News* and by *Media Matters*, a media-review program funded in part by the Corporation for Public Broadcasting.

The report in this week's (March 3) edition of *American Medical News* contains quotations -- startling in their candor -- by Ron Fitzsimmons, the executive director of the National Coalition of Abortion Providers (NCAP), a major "trade association" of abortion providers. NCAP represents about 220 independently owned abortion clinics. Fitzsimmons says that leaders of the "abortion-rights" movement tried to defeat the Partial-Birth Abortion Ban Act by telling the press and the public that the procedures were done very rarely and only in extreme circumstances, even though he and some others in the pro-abortion movement knew that these claims were untrue.

Pro-abortion spokespersons should drop their "spins" and "half-truths," and stop apologizing for partial-birth abortions, says Fitzsimmons -- who now believes that the disinformation has hurt the very abortionists whom he represents.

"When you're a doctor who does these abortions and the leaders of your movement appear before Congress and go on network news and say these procedures are done in only the most tragic of circumstances, how do you think it makes you feel? You know they're primarily done on healthy women and healthy fetuses, and it makes you feel like a dirty little abortionist with a dirty little secret," Fitzsimmons said. "I think we should tell them the truth, let them vote and move on."

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New Reports Validate Early Statements by Ban Supporters

Since introduction of the Partial-Birth Abortion Ban Act in June, 1995, bill author Rep. Charles Canady (R-Fl.) and NRLC have emphasized that partial-birth abortions are performed routinely on healthy babies of healthy mothers during the fifth and sixth months of pregnancy. These abortions are also performed more rarely in the seventh month and later; these "third-trimester" cases sometimes involve women or babies with medical difficulties, sometimes not. [Press releases and factsheets issued by NRLC and by Mr. Canady's office from June, 1995 onward are available on request.]

Also from the start, abortion-industry groups such as the National Abortion Federation (NAF) and the Planned Parenthood Federation of America (PPFA) insisted that the method was used very rarely, and only or nearly only in cases where the mother's life was endangered or the baby had lethal anomalies. As the *American Medical News* report concludes, "Abortion rights activists. . . have consistently claimed it is done only when the woman's life is at risk or the fetus has a condition incompatible with life. And the numbers are small, they said, only 500 to 600 a year."

[Typical of many such claims was a Nov. 1, 1995 PPFA press release: "The procedure, dilation and extraction (D&X), is extremely rare and done only in cases when the woman's life is in danger or in cases of extreme fetal abnormality." **Even today, the home page of the National Abortion Federation, a "trade association" of abortion clinics, informs journalists and other web visitors, "This particular procedure is used only in about 500 cases per year, generally after 20 weeks of pregnancy, and most often when there is a severe fetal anomaly or maternal health problem detected late in pregnancy."**]

Some on Pro-Abortion Side Knew Their Claims Were Untrue

These assertions by the pro-abortion advocates were adopted as simple fact by many journalists. They have been repeatedly transmitted as fact or as information from authoritative sources by major television networks, wire services, and newspapers. Yet, at least some prominent pro-abortion leaders knew all along that these claims were untrue.

Fitzsimmons admits that when he was interviewed in November, 1995, for a *Nightline* program on partial-birth abortion, he (in his own words) "lied" by saying women have these abortions only in the most extreme circumstances of life endangerment or fetal anomaly. Fitzsimmons told *American Medical News* that he knew this was untrue, because when the Partial-Birth Abortion Ban Act was first introduced (in June, 1995), he called doctors who use the method, and "I learned right away that this was being done for the most part in cases that did not involve those extreme circumstances."

Kathryn Kolbert Counsels Strategy of Evasion

The *American Medical News* story also quotes from a 1996 meeting of the National Abortion Federation, at which a public relations strategy for dealing with the bill was laid out by Kathryn Kolbert, vice-president of the New York-based Center for Reproductive Law and Policy, who is described as "one of the chief architects of the movement's opposition to the bill." At the session,

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Kolbert "urged those attending the session not to get 'sidetracked' by their opponents' efforts to get them to discuss the specifics of the procedure," *American Medical News* reports.

"I urge incredible restraint here, to focus on your message and stick to it, because otherwise we'll get creamed," Kolbert told the group. "If the debate is whether the fetus feels pain, we lose. If the debate in the public arena is what's the effect of anesthesia, we'll lose. If the debate is whether or not women ought to be entitled to late abortion, we probably will lose. But if the debate is on the circumstances of individual women... then I think we can win these fights."

CPB *Media Matters* Investigation Finds Press Adopted Pro-abortion Misinformation

The *American Medical News* report says that Fitzsimmons agrees that the vast majority of partial-birth abortion are performed in the 20-plus-week range [late second trimester] on healthy fetuses and healthy mothers. Fitzsimmons comments, "The abortion rights folks know it, the anti-abortion folks know it, and so, probably, does everyone else."

In NRLC's judgment, however, "everyone else" clearly does *not* know that partial-birth abortions are performed thousands of times annually on healthy babies of healthy mothers in the fifth and sixth months of pregnancy. They have repeatedly been told just the opposite by reporters and editors for many of the top broadcast and print outlets.

That assessment by NRLC is confirmed by the findings of an investigative report by journalists for *Media Matters*, a quarterly TV magazine funded in part by the Corporation for Public Broadcasting. In an edition now airing on some PBS affiliates, the *Media Matters* journalists concluded that much of the major media coverage of the Partial-Birth Abortion Ban Act has been riddled with misinformation that journalists uncritically adopted from pro-abortion organizations.

The 20-minute report, titled "Partial Truth," is part of a one-hour *Media Matters* edition that was released to PBS affiliates beginning January 24. *Media Matters* describes itself as "a series that looks critically at news media performance." The program is hosted by executive editor Alex Jones, a Pulitzer Prize-winning journalist who also hosts National Public Radio's weekly show *On the Media*. The investigation of partial-birth abortion coverage was reported by Terry Eastland, editor of *Forbes MediaCritic Online*, and produced by two-time Emmy documentary nominee Joseph Dorman.

The *Media Matters* team's investigation on the partial-birth abortion story found that many journalists "did little original reporting and willingly accepted information from pro-choice sources -- which turned out to be inaccurate," say the producers. **From the time the Partial-Birth Abortion Ban Act was introduced in June, 1995, until the final votes on President Clinton's veto in September, 1996, most "reporters tended to accept as true the assertions of the abortion-rights side, despite evidence calling into question their claims."**

The program focused on three specific disputed issues. From the beginning, Eastland states, "Abortion opponents claimed that the procedure was used thousands of times a year, mainly in the second trimester of pregnancy, and mostly on the healthy fetuses of healthy mothers. Countering their campaign, abortion-rights groups said that the procedure was used only several hundred times a

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year, mainly in the third trimester, and almost always in cases of severe fetal deformity and to protect the health or the life of the mother." After displaying press releases in which NAF, NARAL, and PPFA that made just such claims regarding the number and circumstances of the procedures, the program shows how the pro-abortion side's assertions were adopted as fact by the *Washington Post*, the *Los Angeles Times*, and many others.

"In reporting these claims, journalists tended to accept as fact assertions provided by abortion-rights groups," Eastland concludes, noting that the mainstream press did no independent checking on the pro-abortion claims for 14 months after the bill was introduced. "I think that the coverage of the partial-birth abortion debate has been abysmal," *Time* magazine's Karen Tumulty told *Media Matters*. "By and large, most news organizations have been far more willing to accept what facts, figures and examples are offered by the abortion-rights side, and to discount the other side's argument."

A June 2, 1996 *60 Minutes* program on partial-birth abortion receives particularly sharp criticism. "The piece that *60 Minutes* did really fell into all the traps that this whole debate presented," commented *Time's* Tumulty. "They used these incredibly tragic examples, but examples that only portrayed basically one side of the debate." Eastland adds that *60 Minutes* "made little effort to convey the view of abortion opponents that the procedure is most often used on healthy fetuses in the second trimester." [A detailed critique of the *60 Minutes* program is available from NRLC.]

***Bergen Record* and *Washington Post* Belatedly Investigate Claims**

Finally, in September, 1996, the *Bergen Record* and then the *Washington Post* published articles based in part on interviews with multiple abortion doctors who regularly perform partial-birth abortions. On each of the three key disputed issues examined by *Media Matters*-- how often the procedure is performed, at what point in pregnancy, and for what typical reasons-- the *Post* and *Record* reports offered support for the assertions of NRLC and other key bill supporters.

Media Matters interviewed Ruth Padawer, a *Bergen Record* reporter who interviewed two different doctors at a single New Jersey clinic. The doctors independently told her that over 1,500 partial-birth abortions are performed annually at that single clinic -- "close to three times the number that abortion-rights advocates had claimed for the entire country-- and the procedure was mainly done in the second trimester on healthy fetuses," Eastland notes. The abortion doctors at the clinic "say only a 'minuscule amount' are for medical reasons," the *Record* reported. One abortion doctor told Padawer, "Most are Medicaid patients, black and white, and most are for elective, not medical, reasons: people who didn't realize, or didn't care, how far along they were. Most are teenagers." "One of the unsettling things of what I found of the reporting, was the discovery that the pro-choice side was playing fast and loose with the facts, and there's a credibility gap there that there wasn't before for me," Padawer told *Media Matters*.

Media Matters also interviewed *Washington Post* medical writer David Brown, M.D., who was assigned to do an in-depth report on the subject "after complaints from anti-abortion groups" about the paper's repeated adoption of the pro-abortion line in news stories. Brown wrote two lengthy articles on the subject, published September 17, which included information from five doctors who perform partial-birth abortions (not those interviewed by the *Record*). **"Cases in which the**

mother's life were at risk were extremely rare," Brown told *Media Matters*. "Most people who got this procedure were really not very different from most people who got abortions."

Misinformation Persists in the Press

Despite these reports, and similar information available in much earlier interviews with partial-birth abortionists in *American Medical News*, the pro-abortion disinformation has continued to be presented to the American people as fact by many journalists. For example: CBS's *This Morning*, Sept. 20, correspondent Linda Douglass, "[The bill would ban] rare, late-term abortions, usually done only in cases where the fetus is severely deformed." *Time*, Sept. 30, "Experts estimate that partial-birth abortion accounts for perhaps 600 of the 1.5 million abortions performed in the U.S. each year," and, "In many such abortions, the fetus is so severely deformed or the pregnancy so complicated that carrying the child to term would threaten the life or health of the mother." *Los Angeles Times*, Sept. 27: "The [partial-birth abortion] procedure is generally used when the fetuses have fatal birth defects or when the mother's health is in jeopardy."

Media Distortions Regarding the Clinton-Daschle Proposal

The *American Medical News* report observes that the "abortion rights" side's strategy is "to try to narrow the focus of the debate to third-trimester abortions, which are far fewer in number than those done in the late second trimester and more frequently done for reasons of fetal anomaly." But this diversionary strategy depends heavily on the continuation of careless and gullible coverage of the issue by the news media, which persists to this day.

In recent months, we at NRLC have seen many highly misleading press reports, suggesting that President Clinton and Senate Democratic Leader Tom Daschle have indicated a willingness to accept a ban on partial-birth abortions if a "narrow" exception were added for various "serious health" circumstances. In fact, however, the Clinton-Daschle proposal hardly overlaps at all with the Partial-Birth Abortion Ban Act, which would prohibit partial-birth abortions (except to save the life of the mother) regardless of the exact age of the baby. The substantial majority of partial-birth abortions -- thousands annually -- are performed on healthy babies of healthy mothers in the fifth and sixth months of pregnancy, but the Clinton-Daschle proposal would apply ***absolutely no restrictions whatever*** until the ***seventh month***.

Furthermore, the Clinton-Daschle proposal would allow partial-birth abortions ***even in the seventh month and later*** if an abortionist asserts that the procedure will somehow protect a mother's future fertility -- medical nonsense, but elastic enough to allow any abortion at all. The Physicians' Ad Hoc Coalition for Truth (PHACT) -- made up of over 400 physician-specialists, including former Surgeon General C. Everett Koop -- says that "partial-birth abortion is never medically necessary to protect a mother's health or future fertility. On the contrary, this procedure... can pose a significant threat to both her immediate health and future fertility."

NRLC has published a number of detailed critiques of media-amplified misinformation regarding partial-birth abortions, which are available on request from the NRLC Federal Legislative Office, (202) 626-8820, fax (202) 347-3668, e-mail: Douglas51@aol.com.