

Print Page

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## Meth-pregnancy bill draws national criticism

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CHEYENNE -- A bill in the Wyoming House of Representatives to allow criminal prosecution of mothers who exposed their newborn children to methamphetamine in the womb is drawing criticism from a public health professionals nationwide who say it would discourage women from seeking medical care.

The sponsor of the bill, Rep. Elaine Harvey, R-Lovell, says she agrees that meth addicts need treatment. But she says addicts often won't seek treatment on their own, and says that's why the state needs to step in.

Harvey's bill, titled "Methamphetamine -- endangering children before birth" is scheduled for final reading in the House today.

In an interview Wednesday, Harvey emphasized that her bill would allow drug courts to require mothers who test positive for meth use when they give birth to get intensive outpatient treatment, attend parenting classes and stay employed.

"All of those can be conditions of the court, and it means that people stay in their own community, and they learn how to heal," Harvey said. "And they learn how to put their own family back together in their own community and their own setting."

A fiscal analysis of Harvey's bill by the state's nonpartisan Legislative Service Office states that there's no way to predict the number of women who would be sentenced to probation or incarceration if the bill becomes law.

Lynn Paltrow, executive director of National Advocates for Pregnant Women based in New York City, said Wednesday that the letter opposing Harvey's bill came together after Paltrow mentioned the legislation at a health conference in Atlanta last month. The letter, addressed to the Wyoming Legislature and Gov. Dave Freudenthal, is signed by the American Public Health Association and more than 80 other health organizations and professionals nationwide.

"(T)he problem of alcohol and drug use during pregnancy is a health issue best addressed through education and community-based treatment, not through the criminal justice system," the letter states.

Sheigla Murphy, director of the Center for Substance Abuse Studies at the Institute for Scientific Analysis in San Francisco, is among those who signed the letter. In a telephone interview Wednesday, Murphy said she's been researching and writing about pregnant drug users for about 30 years.

"I think they've got it a little bit backward," Murphy said of the Wyoming bill. "When women who are abusing drugs become pregnant, this is an opportunity to get them into health care, get them into treatment and get them out of environments where drugs are being used. By threatening them with jail, you just push them further underground."

Sharon Breitweiser, executive director of NARAL Pro-Choice Wyoming, said Wednesday her group shares the concern that the bill would deter women from seeking prenatal care. In addition, Breitweiser said her group is concerned that the bill seeks to advance the legal rights of unborn children.

"It's an agenda to recognize the unborn and advance the legal standing of a fetus in the law," Breitweiser said. "Many of the same people who are sponsoring these bills are adamantly opposed to abortion, and they believe that life begins at conception. And they believe there's a state interest in protecting life from the moment of conception."

Harvey says Breitweiser is wrong in her suggestion that the bill is aimed at undermining abortion rights.

"Absolutely not," Harvey said. "This bill was so carefully worded that it doesn't deal with a child

before it's born."

Harvey said that if a pregnant woman wants to seek drug treatment during pregnancy, she could not be charged under the bill.

"'Go get treatment' -- that's the message I'd like to send," Harvey said. "Clean up your act, and you'll never be charged."