

News :: Elections &amp; Legislation

**Score on fetal-deaths bill: Bloggers 1, Legislators 0****Current rating: 3**by **Jeff South****15 Jan 2005**Email: [jcsouth \(nospam\) vcu.edu](mailto:jcsouth@vcu.edu) (unverified!)

Delegate John Cosgrove, R-Chesapeake, spent the bulk of the weekend before the legislative session in front of his computer, responding to e-mails complaining about House Bill 1677. About 500 people e-mailed Cosgrove about his bill that would have required women to report fetal deaths to the police within 12 hours or face misdemeanor charges. The bill sparked concerns across the Internet that women would be punished for not reporting miscarriages. So last week, Cosgrove decided to pull HB 1677. The 51-year-old Alabama native said Web logs, the popular online forums, had misinterpreted his proposal.

By Julian Benbow  
Capital News Service

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So last week, Cosgrove decided to pull HB 1677. The 51-year-old Alabama native said Web logs, the popular online forums, had misinterpreted his proposal.

"They have upset so many women that have had miscarriages," said Cosgrove, who insisted that his proposal would not have applied to miscarriages.

"The bloggers have their own agenda. ... They would just continue to just misinform the public. So instead of that, I elected to withdraw the bill in order to put that to rest."

He said bloggers had "invaded miscarriage Web sites and chat rooms" with claims that under HB 1677, women would face criminal charges for failing to report a miscarriage to police. That prompted the flood of e-mail from women who have suffered miscarriages.

"A lot of these ladies are saying, 'How could you require me to do that when I've been so traumatized?' And that was never the intent of the bill," Cosgrove said.

He said the bill was intended to target women who throw away their newborn babies. Cosgrove said he proposed the law at the request of the Chesapeake Police Department.

But bloggers, such as Maura Keaney of Falls Church, say their concerns were legitimate. They asserted that HB 1677 would indeed have covered miscarriages. Keaney called the bill "the most odious infringement on the privacy of Virginia women ever."

Her blog, Democracy for Virginia [[www.democracyforvirginia.com](http://www.democracyforvirginia.com)], sparked the overwhelming reaction to Cosgrove's bill.

Cosgrove acknowledged that Keaney sent him an e-mail the week before the online firestorm. He said he was out of town on state business and did not have time to respond. But otherwise, Cosgrove said none of the Internet bloggers bothered to contact him about the issue.

"Unfortunately, blog sites don't have the same type of ethical requirements that regular media have," Cosgrove said.

"Blog sites don't talk to the person they're attacking, and they don't have any ethical requirements to get both sides of the story. If that had been done originally, this would have never been in doubt."

However, Keaney, a Democrat, said the facts about HB 1677 spoke for themselves.

HB 1677 stated that "when a fetal death occurs without medical attendance, it shall be the woman's responsibility to report the death to the proper law-enforcement agency within 12 hours of the delivery. Violation of this section shall be punishable as a Class 1 misdemeanor."

Keaney's blog linked to the online text of HB 1677 - and to the state's definition of fetal death: "the complete expulsion or extraction from its mother of a product of human conception, regardless of the duration of pregnancy."

In light of those facts, Keaney painted a bleak scenario: A woman traumatized over suffering a miscarriage would face up to 12 months in jail and a \$2,500 fine for failing to report it to police.

"Suffering a miscarriage is no crime, but Delegate Cosgrove wants to make it a crime for a woman to fail to violate her own privacy in the first 12 hours after a miscarriage," Keaney said in her first blog posting on the issue on Jan. 6.

Soon, tens of thousands of people visited Democracy for Virginia, and other blogs linked to it. Many visitors posted comments expressing shock and attacking Cosgrove as insensitive.

Although requested by Cosgrove, HB 1677 was written by the Division of Legislative Services, which serves the General Assembly. Cosgrove acknowledged that the language was too broad. But he said it would have been fixed in a legislative committee to meet his original intent.

Cosgrove was disappointed with the way bloggers treated HB 1677.

"I think that's the ethical dilemma that the Internet has. There's no requirement for truth," he said.

"Bloggers have to understand it can go both ways. You're going to see retaliatory blogs in the future. There're just going to be blog wars. So, you know, who does that benefit? Nobody. It just causes bad feelings all around."

Keaney dismissed Cosgrove's claim that HB 1677 was a victim of misinformation on the Internet.

"It's an easy defense, really," she said on her blog Cosgrove withdrew the bill.

" 'The evil Internets are telling lies about me! And they never let me give my side of the story!' ... I'm not taking Cosgrove's defense personally. He's a politician, and he's got to safe [sic] face. But I think it's pretty insulting to assume that all the ordinary citizens who took time to write to him over the weekend were just dupes ..."

Keaney, whose blog is a legacy of Howard Dean's campaign in Virginia, said she "celebrated a little bit" when she heard that Cosgrove had withdrawn HB 1677.

She called the withdrawal "a victory of ordinary people making a difference in the legislative process."

Note: Julian Benbow is a student in the School of Mass Communications at Virginia Commonwealth University, which operates [Capital News Service](#).

## Links

### ***Virginia General Assembly's Web site***

<http://legis.state.va.us/>

Here you can find the text of House Bill 1677 and information about Delegate John Cosgrove.

### ***Democracy for Virginia Web log***

<http://www.democracyforvirginia.com/>



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## Comments

### **Re: Score on fetal-deaths bill: Bloggers 1, Legislators 0**

by **Andy Melton**

[meltonac \(nospam\) vcu.edu](mailto:meltonac@vcu.edu) (unverified)

**Current rating: 2**

**15 Jan 2005**

It was so nice to read that it was repealed, after having e-mailed him myself. Bloggers need to respond that fast to more bills.

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News :: Elections & Legislation

## Gay rights vs. 'family values' over same-sex marriage

Current rating: 0

by **Jeff South**

19 Jan 2005

Email: [jcsouth\[nospam\]vcu.edu](mailto:jcsouth[nospam]vcu.edu) (unverified!)

Modified: 11:36:08 AM

The state's largest gay-rights group, Equality Virginia, and a prominent "traditional values" organization, the Family Foundation of Virginia, have squared off in a legislative debate over same-sex marriage.

By Thomas Gehring  
Capital News Service

RICHMOND -- The state's largest gay-rights group, Equality Virginia, and a prominent "traditional values" organization, the Family Foundation of Virginia, have squared off in a legislative debate over same-sex marriage.

The Family Foundation wants to amend the state Constitution to define marriage as between a man and a woman - and to ensure that Virginia won't recognize same-sex unions.

"The national elections in November were a clear statement by the American people that traditional values and traditional marriage matter," said Victoria Cobb, the group's executive director.

Equality Virginia has mobilized against the proposed constitutional amendment. During last week's Gay, Lesbian, Bisexual and Transgender Lobby Day at the Capitol, more than 200 gay-rights supporters turned out to voice their concerns to their legislators.

"We know we'll win; it will just take some time," said Dyana Mason, Equality Virginia's executive director.

Gay-rights advocates' goals for the session include:

- Defeating the proposed amendment to the Virginia Constitution. The amendment, which requires approval by the General Assembly and by voters, "provides that marriage may exist only between a man and woman and that nothing in the Constitution shall be interpreted to require the Commonwealth to recognize or permit same-sex marriages."
- Repealing last year's House Bill 751 (titled the Affirmation of Marriage Act), which prohibits same-sex

couples from entering into contracts "purporting to bestow the privileges or obligations of marriage."

- Repealing Virginia's "Crimes Against Nature" law, which was ruled unconstitutional by the U.S. Supreme Court in 2003.
- Granting private corporations the right to allow domestic partnership benefits. Virginia is currently the only state in the country that doesn't do so.

"We believe that the Marriage Affirmation Act, a huge backwards step for Virginia, should be repealed," Mason said during Thursday's packed press conference. "And we believe that the Virginia Constitution should never be the place to codify discrimination."

Several religious leaders, including the Rev. Kharma Amos of the Metropolitan Community Church of Northern Virginia, agreed.

"It is unfortunate that the lines separating church and state on the issue of marriage have become so blurred," Amos said.

"Even if the government were to grant civil marriage equality, by whatever name, no church or religious community could ever be forced or required to recognize or bless any relationship that went against its beliefs."

The Family Foundation is pushing hard for the marriage amendment. The organization fears that otherwise, "activist courts" will force Virginia to recognize same-sex marriages.

"Virginia has done all it can to protect marriage, but any activist court or judge can at any time impose same-sex marriage on the Commonwealth," Cobb said. "Americans simply do not support the notion of same-sex marriage."

Delegate John Cosgrove, R-Chesapeake, is sponsoring the proposed constitutional amendment, House Joint Resolution 528. He said he filed the paperwork in July, before voters in 11 states passed similar legislation during the November elections.

Cosgrove said an amendment is necessary because "liberal courts" could find Virginia's Affirmation of Marriage Act unconstitutional.

"Marriage is simply too important to leave to liberal activist judges," Cosgrove said.

Note: Thomas Gehring is a student in the School of Mass Communications at Virginia Commonwealth University, which operates [Capital News Service](#).

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### Links

Equality Virginia:

<http://www.equalityvirginia.org>

Family Foundation of Virginia:

<http://www.familyfoundation.org/>



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