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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], 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](#) (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.

Read 10 objects from the database. Queried the database 13 times. Served 2 files from the cache.