



Analysis of Messaging Used in the Media Regarding Abortion Legislation Information

Mary Ann Merrill

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Mary Ann Merrill
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The aim of the study is to analyze messaging used in news articles regarding legislation on abortion in two states in the US with the objective to determine what information is provided by the media regarding potential abortion related legislation.

The reversal of the 1973 US Supreme Court ruling regarding the constitutional right of abortion given in Roe v Wade with the Dobbs decision on 22 June 2022, has led to an increase of legislation regarding abortion in the United States. The messaging surrounding the legislation is influenced by supporters and opponents of abortion. News outlets responsible for reporting information regarding legislation are responsible for relaying the messaging provided. There is limited research on the effects of messaging in abortion legislation. It is essential to examine this issue further to ensure messaging is effective while there is an immediate need due to the frequent changes in legislation.

The thesis report was developed to support Women in Global Health Finland to assist in global health development and overcoming challenges in health systems. The project aids in supporting this goal by discovering and developing effective messaging methods used in the development of SRHR policies.

This report utilized contextual concept analysis to analyze news articles from two different legislations in two different states to determine what information is provided by the media regarding potential abortion related legislation. The texts from the articles are coded to differentiate the messaging used by the supporters and opponents of the respective legislation.

Results showed the use of information relating to the practical application or statistics was more prevalent from both the opposition and the supporters of the legislation. The use of practical and statistical information was more effective in relaying messages compared to the use of emotional messages, attention words, or personal impact stories when informing the public about legislation. It was concluded that advocacy groups should utilize the media in presenting their messages and the use of practical and statistical information is effective in educating and informing the public regarding potential legislation. Continued research is needed to fully understand the effects of messaging used in the media as it pertains to proposed abortion legislation.

Keywords: Messaging, Abortion, Media, Legislation

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1 Introduction

Sexual and Reproductive Health and Rights (SRHR) are topics related to sexual health, sexual rights, reproductive health, and reproductive rights. Topics include abortion, sexual education, contraception, gender equality, and more. These topics are sensitive and difficult to navigate with the multitude of opinions and personal beliefs surrounding them. Because of the sensitive nature of SRHR, diverse and effective messaging should be utilized when new policy or legislation is brought to the public. Language used in legislation is ambiguous, making it difficult to see the potential impact it may have on health care access and treatment options (Matos 2019). Catch-phrases, slogans, and headlines are what the media relies on to get the public's attention. It is what the public first sees when they open the news. In topics such as abortion, people often already have an opinion on when and if it is morally acceptable. Due to this, it is easy for the media and advocacy groups to use phrases that are already associated with a particular viewpoint. Those who support abortions will focus on wording such as 'My body my choice', and those against abortions use phrases such as 'abortion is murder'. Neither phrase gives information about abortion procedures or practical application of abortion laws. As advocacy groups use loud and emotional messaging to get attention, it is the media's responsibility to inform the public in an unbiased, clear manner (S. Ward 2023). This is not a simple task for the media.

The media has a responsibility to inform the public about what is happening around them, but how they do this can be problematic when bias is a part of the reporting. The media can choose what aspects to report on or alter the wording to give one point of view. While some countries have a code of ethics for news organizations, there is no official global ethical code. The practical and ethical effect of not having a global code is far reaching and carries both positive and negative aspects. News reports influence the actions of humanitarian agencies, governments, and militaries. Reports should be accurate, diverse, and balanced to avoid misunderstanding and increase the problems the world faces. Media reports with a global perspective help people to understand the difficult and complex problems the world faces. When the media does not show impartiality in its reporting of SRHR issues, the public is uninformed as to the full effect legislation can have on areas of women's health, access, and treatment (S. Ward 2023). There is no official global media ethics code of conduct. However, many journalists follow basic principles of ethics to provide accurate information while preserving human dignity, public interest, and social responsibility in an unbiased and neutral manner.

Messaging can be seen as a puzzle. There are many pieces that are needed to see the entire picture. Each piece is essential to complete the puzzle. Sexual and reproductive health rights

messaging has many pieces that are needed for the public to be able to make informed decisions regarding legislation and knowing what is beneficial for their community. Communication methods are the way that we reach our target area, in this report that is the news media. Messaging is what is being said. It is the information being given through the communication method. Throughout this report, the different areas of messaging will be assessed by analyzing what information is provided by the media when reporting on legislation.

2 Background

2.1 Roe v Wade and the Dobbs decision

The United States has had a long and complex history related to SRHR and specifically abortion. To understand the current abortion landscape in the US, it is important to understand the history. The US landmark case of Roe v Wade has been used as precedent in many countries for abortion and SRHR services. According to a special report from the Partnership for Maternal, Newborn and Child Health (PMNCH) launched in March of 2023, one-third of those who responded to the survey believed that access to SRHR services was reduced. SRHR financing, both domestic and international, was reduced by one-quarter. More than half have seen anti-abortion movements increasing and becoming emboldened. Advocacy for SRHR now must study and educate how the Dobbs decision has harmed SRHR services and fight for greater safeguards (PMNCH 2023). Because of the global impact the Dobbs decision carries in SRHR, it is essential to understand the history behind Roe v Wade and the Dobbs decision.

Roe v. Wade was brought to the U.S. Supreme Court on January 22, 1973. It was filed by a 'Jane Roe', an unmarried woman who wanted to end her pregnancy in a safe and legal manner in the state of Texas. Jane Roe challenged the Texas state statute that made abortions a crime unless the woman's life was in jeopardy. The U.S Supreme Court sides with Roe and struck down the Texas law (Blackmun, H. A. & Supreme Court of the United States 1973). This was the first time the court recognized the constitutional right to privacy encompasses a woman's decision to terminate or keep a pregnancy. At the time, nearly all states had banned abortion with few exceptions such as preserving a woman's life, health, or in situations of rape, incest, or severe fetal anomaly. The passing of Roe rendered the bans unconstitutional and made abortion services safer and more accessible throughout the US. The court recognized that each state has an interest in safeguarding maternal health and protecting potential life and that a woman's right to privacy is not absolute. States may put restrictions or limit abortions, such as prohibiting abortion after viability except when necessary to preserve a woman's health or life (Planned Parenthood 2014).

Prior to Roe, there were many lawsuits brought to the courts challenging abortion laws that specifically made abortion a criminal act. The passing of Roe removed such a harsh penalty. Following its passing, many pro-life groups urged and advocated for the states to pass heavy restrictions on abortion laws many of which have been brought to the US Supreme Court. Many restrictions were found to be unconstitutional, however not all. Some restrictions put a particular burden on low-income and young women. State and federal bans were placed on funding abortions limiting abortion care for low-income women. In many states, women under age 18 were required to notify and obtain consent of a parent or guardian. In 1992 *Planned Parenthood of Southeastern Pennsylvania v Casey* went before the supreme court challenging the finding of *Roe v Wade*. The court upheld the core of Roe, however, the ruling in *Casey* made it far more difficult to challenge laws that were not full prohibitions on abortion. Due to this, states could enact heavy restrictions on women seeking an abortion while still offering abortion services (Planned Parenthood 2014).

It is no surprise that women who have access to legal abortions have access to safe abortions. A woman's health and safety are a necessary component of abortion care. In 1964, 17% of all deaths due to pregnancy and childbirth were due to illegal abortions. At present day, less than 0.3% of woman who undergo legal abortions at any stage in pregnancy sustain serious complications that require hospitalization. Serious complications and risk of death increases with the length of pregnancy when an abortion is performed. The risk of death is 14 times higher for women in childbirth than it is with abortion (Gold 2003; Planned Parenthood 2014, A. Ward 2023).

Roe v Wade set the precedent in more than 30 Supreme Court cases following its passing, primarily involving restrictions in abortion access. One such ban was *Gonzales v Carhart* and *Gonzales v Planned Parenthood Federation of America, Inc* on 18 April 2007. This ban is referred to as the Partial-Birth Abortion Ban Act of 2003, which criminalized abortion in the second trimester when certain abortion procedures are performed. It does not contain an exception for a woman's health, which essentially overruled a key component of *Roe* that has been affirmed time and time again. A woman's health is the primary concern in laws that restrict abortion access. The Supreme Court allowed the banning of certain second-trimester abortion procedures that doctors, and the American College of Obstetricians and Gynecologists believe are the best methods to protect a woman's health and provide safe second-trimester abortion care (Planned Parenthood 2014). While limiting procedures that may harm a woman's health would seem fitting, there is great concern when the legal system limits procedures and methods commonly and safely used by medical personnel.

On 22 June 2022, the US Supreme Court ruled in the *Dobbs v Jackson Women's Health Organization* asserting that abortion is not a fundamental right supported by the US Constitution. The case involved the Mississippi's Gestational Age Act of 2018. This act

prohibited abortion after 15 weeks with an exception for severe fetal deformity or medical emergency. The act included penalties to medical providers who disregarded the act such as loss of license. The Jackson Women's Health organization filed a suit questioning the acts constitutionality. This case went to the US Supreme Court to determine if pre-viability elective abortions were constitutional (Cohen, Murray & Gostin 2022; Cornell University 2022).

Dobbs argued that the right to abortion is not provided in the Constitution. Dobbs focused on the Tenth Amendment, which denies states powers to make treaties, and the Fourteenth Amendment which provides equal protection. Dobbs argued that the liberty in the Fourteenth Amendment only refers to fundamental rights that are rooted in the history and traditions of the US. Abortion is not a fundamental right as many states had bans on abortion at the time of the Fourteenth Amendments ratification. Dobbs argued that viability of a fetus is too subjective, preventing states from protecting the interests of the people (Cornell University 2022).

Jackson's Women's Health Organization argued that the Fourteenth Amendment did provide abortion as physical autonomy and body integrity are essential elements of liberty as outlined in the Due Process Clause. Women's Health argued that a person has possession over their own body and therefore abortion is protected under this. They also noted that federal courts and the medical profession applied the standard of viability when it comes to elective abortions (Cornell University 2022).

Supreme Court Justice Alito, joined by Justices Thomas, Kavanaugh, Barrett, and Gorsuch wrote the majority opinion. The Court stated that the Constitution does not directly reference abortion. Court precedent states that abortion is not subject to heightened scrutiny as it is not a sex-based classification. The Court stated that abortion is not rooted in the history or traditions of the United States and elaborated that the Due Process Clause only protects rights guaranteed by the first eight Amendments and rights deemed fundamental. The history of abortion at the time the Fourteenth Amendment was ratified was that abortion was a crime in three-fourths of the states. Abortion remained a criminal act until Roe V Wade, therefore, liberty could not be applied to recognize abortion as a fundamental right. The Court concluded that abortion is not part of a broader right, and linking abortion to autonomy would then give license to illicit drug use or prostitution as fundamental rights. The Court ultimately upheld Mississippi's ban on abortion at 15 weeks' gestation. The Court went on to overrule Roe V Wade and Planned Parenthood v Casey by stating that the US Constitution does not provide a right to abortion. The regulation of abortion is returned to the states for the people and their elected representatives to determine (Coen-Sanchez, Ebenso, El-Mowafi, Berghs, Idriss-Wheeler & Yaya 2022; Cohen, Murray & Gostin 2022; Cornell University 2022).

The effects of the Dobbs ruling have been debated heavily since its ruling. Thirteen states had what are termed ‘trigger laws’. Laws that took effect immediately with the reversal of Roe, while other states had ‘zombie’ laws enacted before Roe but were never repealed. With trigger and zombie laws being in immediate effect, many abortion clinics were closed in approximately half of the states drastically diminishing not only abortion access but access to other sexual and reproductive services (Coen-Sanchez et al. 2022).

The restriction of abortion does not change the reality that abortions are still needed or desired by many. Those who seek abortion care are now faced with the difficulty of working within the limits their states have implemented. Eleven states have implemented restrictive gestation bans, as early as 6 weeks gestation (Coen-Sanchez et al. 2022). Other states have banned the methods used in performing an abortion such as restricting or banning the use of mifepristone, one of two medications used for medical abortions. More than half of abortions are treated using the 2-drug regimen of mifepristone and misoprostol. Medical abortions are considered the safest abortion option for women when the gestation is less than 10 weeks (AAMC 2023).

For women who live in states with near total abortion bans, they are required to travel to other states for abortion care. This comes at great financial and personal difficulty for many, particularly low-income households, minority women, persons with disabilities, or those in abusive relationships. Minority women face systemic racism and mobility issues to safe and legal abortion care. Even prior to the Dobbs decision, black and women of color faced an inequitable and negative financial, social, and health consequences compared to white women. This is only increased as the access to safe and legal abortions is no longer protected (Coen-Sanchez et al. 2022; Cohen, Murray & Gostin 2022). When surgical abortion becomes the only treatment option for abortions, this increases inequality and access to health care as the US does not have universal health coverage (Coen-Sanchez et al. 2022).

Medical professionals who live in heavily restrictive states have the medical responsibility to inform patients of states that may be able to provide the reproductive care a patient needs, including abortion care. However, some states have imposed or threatened to impose harsh legal sanctions for informing patients about abortion care in other states. This creates a difficult situation for both medical professionals and patients (Cohen, Murray & Gostin 2022). This conflict between reproductive health policy and politics has raised many questions including when life begins and the line between a woman’s personhood and agency over their own life verses the fetus. The issue is complex with many difficult nuances that impacts the physical and psychological wellbeing on women and girls (Coen-Sanchez et al. 2022).

2.2 Summary of US Abortion Legislation

On June 24, 2022, the Supreme Court of the United States (SCOTUS) made its decision in the *Dobbs v Jackson Women's Health Organization* reversing 50 years of constitutionally protected federal access to abortion. In doing this, states now carry the responsibility to set legal parameters around access to abortion (Lantz, Michelmore, Moniz, Mmeje, Axinn & Spector-Bagdady 2023). Thirteen states had trigger laws in their state legislation that went into effect with the *Dobbs* decision. These trigger laws included gestation restrictions, procedure restrictions, and criminalization of abortion (Center for Reproductive Rights-United States 2023; Lantz et al. 2023). There are now 14 states with total or near total abortion bans. Total ban states do not have exceptions for rape, incest, or non-fatal health risks. Abortion rights are explicitly protected in 16 states. Four states have protections throughout the entire pregnancy and 12 prior to viability of the fetus. Harsh penalties towards abortion providers or those who help a person obtain an abortion include Texas' life in prison, and 11 other states with penalties of 10-15 years in prison. Such harsh penalties threaten medical training and treatment of miscarriage due to the threat of prosecution (Gostin & Reingold 2022).

The new abortion landscape in the US means that a significant percentage of the population will no longer have access to legal and safe abortion services. It is estimated that one out of five pregnancies end in abortion. The number of abortions has been in a downward trend over the 10 years prior to the *Dobbs* decision, with only 2 years showing a small increase in numbers. It was estimated that a ratio of 195 abortions for every 1,000 births were performed in 2019. In 2019 abortion statistics included 38% of abortions among Black women, 33% among non-Hispanic White women, and 21% among Hispanic women, and 49% of these women living below the federal poverty level. 92.7% of abortions occurred at or before 13-week gestation (Lantz et al. 2023).

Since the *Dobbs* decision, there has been a flood of new state and federal legislation being brought to voters and state and federal supreme courts. Half of the US population no longer has the rights to bodily autonomy or rights to health. The ruling exacerbates the existing health and economic inequities that have been in the political forefront for decades (Gostin & Reingold 2022). Abortion rights are now an ever-changing legal and medical process. The legality of what medical procedures and what and to whom abortion laws apply affect the healthcare of women. With new legislation and policy being debated frequently, it is difficult to determine the full picture of abortion rights in the US. But what is clear is that the public must be fully informed as to how the legislation will be applied and what it means for health rights and access as each new legislation is determined.

Montana is a state in which abortion remained legal following the *Dobbs* decision. The Montana State Supreme Court recognized abortion as a procreative autonomy right under its

state constitution. Montana does regulate abortion such as prohibiting abortion after viability and requiring a parent's consent for a minor 16 years old or under. In the past, there have been waiting periods, biased counseling, and ultrasounds that were required, but currently those requirements have been enjoined. Montana state provides funding for abortion care, allows advanced practice clinicians (APCs) to provide abortion care, and protects abortion clinics by prohibiting obstruction to them (Center for Reproductive Rights-Montana 2023).

In November 2022, Montana voters rejected LR-131 also referred to as the Born Alive Infant Protection Act (Born-Alive Infant Protection Act 2022; Center for Reproductive Rights-Montana 2023). The act stated that infants born at any stage of development be treated as a legal person, including those born after an abortion, and that health care providers are required to take necessary actions to preserve the life of the infant. The act argued that an infant born alive is a legal person and therefore has the right to appropriate and reasonable medical treatment. Supporters of the act claim that infants who have survived abortions were denied lifesaving or life-sustaining medical care and instead were left to die. The term "Born Alive" means "the complete expulsion or extraction from the mother of a human infant, at any stage of development, who, after expulsion or extraction, breathes, has a beating heart, or has definite movement of voluntary muscles, regardless of whether the umbilical cord has been cut and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, cesarean section, induced abortion, or another method." (Born-Alive Infant Protection Act 2022). If health care providers purposely, knowingly, or negligently does not provide medical treatment to a born alive infant, they may be convicted of a felony which carries a fine of up to \$50,000 and/or face a prison term up to 20 years. It also required mandatory reporting of failure to comply (Born-Alive Infant Protection Act 2022). By the complex wording in the act, practical application of the act would not only apply to elective abortions, but to situations such as premature labor prior to viability. The inclusion of harsh criminal penalties puts all health care personnel at risk when providing medical care to patients.

On August 25, 2022, two months following the Dobbs decision, Idaho began to enforce its trigger ban which criminalizes abortion. Idaho prohibits abortion at all stages of pregnancy, with an exception for survivors of rape and incest who have reported the incident to law enforcement, and if the life of the pregnant person is at risk. In 2023, the exceptions to the trigger ban were restricted further by limiting the rape and incest exception to the first trimester and by adding specific medical conditions for the exception of the pregnant person's life is at risk. The state cannot criminalize medical providers who provide abortion care in emergency situations due to the federal Emergency Medical Treatment and Labor Act (EMTALA). This federal act requires hospitals to provide emergency treatment to patients regardless of the ability to pay if the hospital receives Medicare funding. Idaho prohibits abortion after viability, prohibits dilation and extraction procedure, requires a mandatory 24-

hour waiting period and biased counseling prior to an abortion. The Idaho state constitution does not include any protections for abortion (Center for Reproductive Rights-Idaho 2023).

The Idaho Abortion Trafficking bill or House Bill No 242 was signed into effect April 5, 2023, by Governor Brad Little. The bill defines abortion trafficking as non-parent or guardian adult who transports a minor to another state for the purpose of obtaining an abortion or who obtains abortion-inducing drugs for a minor with the intent to conceal the abortion from the minor's parents or legal guardian. If an adult does this, they are committing the crime of abortion trafficking and may be prosecuted. Penalties of abortion trafficking include imprisonment for no less than 2 years and no more than 5 years in the state prison. The person who had an abortion or attempted to have an abortion, the father, grandparent, sibling, or aunt or uncle of the unborn child may seek civil actions against the medical professionals who were involved in the abortion of no less than \$20,000. Civil actions have a statute of limitations of four years (House Bill No 242, 2023). In short, this bill criminalizes those who assist a minor in obtaining an abortion across state lines without parental consent and allows for civil action to be taken against medical personnel for their role in a minor attempting to obtain or obtaining an abortion (Center for Reproductive Rights-Idaho 2023).

2.3 Pro-life and Pro-choice advocacy groups and their influence in politics

It is important to understand not only a brief history of abortion laws, but who were the main actors that have been instrumental in either the passing or rejecting of the laws. There have been two primary movements, the pro-life and the pro-choice movements. While there are many groups within each of these movements, here we will discuss the overall viewpoints of each movement and their origin.

The pro-life movement has its roots in the Catholic faith as they were the strongest opponents to abortion. Abortion violated the Catholic belief on the sanctity of human life. The National Right to Life Committee was started in 1968 by Monsignor James T. McHugh, which created a strong infrastructure for the pro-life movement. In the 1970's the Protestant denomination, the Southern Baptist Convention joined the Catholic leaders in affirming the sanctity of life and working on legislation to restrict legislation. While they worked to limit abortions, they also gave allowances for abortions in cases of incest, rape, fetal deformity, and if the mothers physical, mental, or emotional health was at risk. In the 1970s the Religious Right began to rise with Catholic and Evangelical leaders mobilizing on the abortion issue, working together to promote legislation towards the movement (A. Ward 2023).

The Pro-life movement bases its position on two primary points. The religious belief in the sanctity of life, and the language used in the US Declaration of Independence amendment of the 'right to life'. The movement often uses images such as ultrasounds or deceased fetus' and literature to show the procedure of abortion as brutal to both mother and unborn baby.

The use of these images has been used to show the view that life begins at conception not at birth. The use of sonogram images is still widely used at pro-life events and literature. The goal of using such images is to show the fetus as an actual baby (Holland 2016).

The Pro-life movement has had success in its mission to end abortion in the US. In 1976, the Hyde Amendment was passed which prohibits the use of federal funds for abortion (Holland 2016; Joffe 2004; Planned Parenthood 2023; Whittum & Rapkin 2022). In practice, this means that clinics such as Planned Parenthood cannot use its federal funding to subsidize the cost of abortions. However, they can use federal funding for other purposes such as contraceptive care, sexually transmitted disease, and infection (STDI) screening, cancer testing and more. In 1984, the movement has success in passing the Mexico City policy which prohibited US aid funds to be used for abortions (Planned Parenthood 2023; A. Ward 2023).

In the 1980's and 1990's the pro-life movement started to become bolder in the means used to protest abortions. Operation Rescue was a cohort that strived to end abortion by any means necessary and by doing what they termed a pro-life rescue. A rescue was done when hundreds or thousands of protesters blocked access in front of clinics to prevent people from entering the clinic. The demonstrations outside the clinics made it incredibly difficult to obtain an abortion. Police were called in to attempt to manage the crowds, often filling the county jails with protesters. National news reports were made bringing even more attention to the protests which created fear for those trying to access abortion services. There were extremists within Operation Rescue that took the movement into criminal activity in the name of the pro-life cause (Holland 2016). The 1980's saw rising incidents of clinic blockades, vandalism, firebombing, stalking and harassment of medical providers not only at the clinics but at their homes as well (Joffe 2004). It is reported that between the 1980's and 2000s, extremists were responsible for 383 death threats, 153 assaults, 3 kidnappings, 18 attempted murders, and 9 murders towards abortion providers (Holland 2016). The first abortion provider to be shot and killed by an anti-abortion extremist was David Gunn in 1993. Gunn was shot while entering a clinic. Gunn's death led to the routine use of bulletproof vests to be worn by anyone working in abortion clinics, tight security surrounding clinics and constant video surveillance (Joffe 2004). While it is the extremists within the movement that have committed these serious criminal acts, the fear they have created lingers for those who work in abortion clinics. It is still common to have protesters outside of abortion clinics.

The pro-life movement has been critical in the fight for anti-abortion regulations. As the specific regulations for abortion were being fought at the state level instead of the federal level after the passing of Roe v Wade, the pro-life movement has been active in advocating for regulations that severely limit abortion practices. Strict gestation limits, even as early as 6 weeks or when a fetal heartbeat is detected have been a priority for the pro-life

movement. Other restrictions include holding abortion clinics to stricter medical standards, such as those of a hospital (A. Ward 2023).

There has been a clear shift in the pro-life movement in recent years. They have gone from advocating strictly to abolishing abortion to a more holistic ethic 'womb to tomb' approach. This approach includes the care of mother and child after birth. The movement has brought vital work through resource centers, non-profits, and churches to assist women who may be seeking an abortion. The pro-life movement has also advocated for reforms to racial and systemic inequality, immigrant, and refugee treatment, and opposed physician-assisted suicide and euthanasia practices. Greater diversity within the movement has become critical in working towards systemic changes in abortion laws. With African American and Latino women representing the majority of abortions, the movement has become more diverse in developing coalitions specifically towards minority women to better understand the needs and be able to reduce the number of abortions in minority groups (A. Ward 2023).

The pro-choice movement had a much slower and less formal beginning. Prior to 1973 there was no formal organization to lead the movement, however, the pro-choice attitude was clearly seen throughout many political protests during the 1960's (Staggenborg 1995). The American Law Institute advocated in 1959 for exceptions to the restrictive and often harsh abortion laws. They advocated for changes to abortion laws that would allow for abortions to occur for the physical or mental health of the mother, fetal deformity, or if the pregnancy was a result of incest, rape, or other unspecified illegal action (Holland 2016, Gold 2003). There was a large cultural shift during this time due to the use of Thalidomide, a sleeping medication, given to pregnant women that resulted in extreme fetal deformity and infant death across the United States and Europe. Later there was an outbreak of German measles which led to thousands of stillbirths and serious abnormalities. The media was ripe with images of white middle-class women holding their deformed babies, giving a different picture to the women who may seek abortions (Holland 2016). Prior to this time, the image of women who sought abortions were minority poor women (Gold 2003). This shift in imagery shifted the public perception from one of shame and secrecy, to making it an issue that can affect anyone regardless of race or social status. The feminist's movement argued that women were not full citizens if they could not control their reproduction choices. These shifts in awareness and education helped push reformation of abortion laws in state legislation (Holland 2016).

The National Association for Repeal of Abortion Laws, or NARAL, has been the most known pro-choice movement following the Hyde legislation (Planned Parenthood 2023; Staggenborg 1995). They have developed strong formal connections with state affiliates while supporting smaller grass root efforts. NARAL has secured legislation that supports abortion rights, including Webster vs Reproductive Health which allowed restrictions on abortions at the state level but did not overturn Roe vs. Wade. They also secured the Planned Parenthood vs. Casey

decision which determined that any restriction to abortion must not cause undue burden on the mother's right to have an abortion before viability (Staggenborg 1995).

Free-standing clinics became the primary location for abortion procedures in the 1970's due to the right of physicians to not perform abortions. Washington DC and New York city had legalized abortion prior to the passing of Roe v Wade and pioneered the free-standing clinic model. Free-standing clinics were a collaboration of abortion-sympathetic medical professionals and the feminists desire for an alternative to traditional healthcare. Free standing clinics remain the primary location for abortions in the US and carry an excellent safety record and provide low-cost abortions. The biggest downside to the free-standing abortion clinics has been further removing abortions from mainstream healthcare which continues the stigma of the procedure (Joffe 2004).

The pro-choice movement has historically had good success in obtaining safe abortions for women, even when it is restricted or banned. The Jane collective, established in 1969 in Chicago, is the most famous feminist-related abortion activity prior to the passing of Roe. It consisted of a group of women, mostly in their 20's, who operated an underground abortion service. Abortions took place in members' apartments and members assisted in the procedure. The name of Jane was used as a security measure and as an affirmation of the communal identity of the women involved. Throughout Jane's history, 11,000 abortions were performed with no fatalities and only one confrontation with the police. Abortion counselors were critical in the abortion rights movements and were considered the most important person a woman encountered during an abortion. Counselors were typically women who had experienced an illegal abortion themselves and worked within the abortion rights movement. A counselor's role was to explain the procedure to a patient and accompany her throughout and intervening on her behalf when needed (Joffe 2004). Abortion counselors continue to be a critical component of abortion care.

The violence and harassment towards abortion providers in the 1990s and the death of Dr. Gunn in 1993 led pro-choice groups to advocate for the inclusion of abortion material to be part of the curriculum for medical providers with the goal of better protection of the medical profession and reduction of stigma within the medical community. Physicians for Reproductive Choice and Health (PRCH) was organized by a group of physicians in New York City and consisted of abortion providers, researchers, academic chairs and deans, and other leaders in medical societies. PRCH along with other social movement organizations continue to work towards safe and legal abortion for women (Joffe 2004).

2.4 Global impact of Dobbs decision

There has been an overall positive trend in protecting and securing sexual and reproductive health rights around the world. Over 50 countries have expanded access to safe abortion care

in recent years, with only 3 restricting abortion rights further, including the United States (Singh & Sedgh 2022). The Dobbs decision will clearly have a strong impact on abortion in the US. It also has a wide global impact, being seen as a major assault to SRHR due to the effects on policy, service and humanitarian delivery, and financial aid, particularly in low- and middle- income countries (Howard & Krishna; PMNCH 2023; Singh & Sedgh 2022).

Roe v Wade has been used as precedent in the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, a treaty which recognized abortion as a human right. Fifteen member nations in the African Union expanded abortion availability under this treaty. In countries like Sierra Leone which carries one of the highest maternal mortality and unsafe abortion rates in the world, expansion of abortion rights is essential to protect the women in the country. It has been noted that while Sierra Leone recently passed the Safe motherhood and reproductive health bill, expanding abortion access, the bill has not been put into action. The concern of human rights activists is that the Dobbs decision sends the message that reproductive care is not an essential need for the women in the country. In countries with high sexual violence, emergency contraceptives are often not available (Howard and Krishna 2022).

According to Antonia Mulvey of Legal Action Worldwide, further restriction of abortion services would be catastrophic for victims in conflict areas. Access to safe and free abortions is life saving for people in conflict areas (Howard and Krishna 2022). The sub-Saharan region of Africa has the highest level of maternal mortality due to unsafe abortion procedures, a statistic expected to increase as anti-abortion activists have increased their mission following the Dobbs decision (Singh & Sedgh 2022). In Nigeria, when the Safe Termination of Pregnancy for Legal Indications Guidelines in Lagos State was launched, it was the Dobbs decision that was used in arguments against the guidelines by anti-abortion advocacy groups. Just nine days after the guidelines were launched, the Lagos State government suspended its use (PMNCH 2023). The case in Nigeria is not the first or only country to use the Dobbs decision to restrict SRHR.

The Trump administration strengthened the Global Gag Rule further by restricting funding or support to other groups not directly involved in abortion services or advocacy, but who supported or funded groups that did provide abortion services (Howard & Krishna 2022; PMNCH 2023). This restriction shattered many organizations in Africa who no longer had funding for reproductive healthcare. Under the original Global Gag rule, US international funding could not be used to directly fund abortion services in other countries. Trump's expansion restricted funding to groups that provided support to organizations that were involved in abortion services. Meaning, that larger organizations who provided reproductive services or other women's health services not related to abortion but provided staffing or other support to another organization that does provide abortion services could no longer

receive US financial aid. This drastically reduced the amount of aid provided for HIV testing and treatment, contraceptive services, and other women's health services in low-income countries (Howard & Krishna 2022). There are global anti-abortion groups who receive funding from US organizations and the repeal of Roe has only emboldened their actions. Abortion clinics have had to take additional monitoring and security precautions as anti-abortion activities increase around the clinics (Graham 2022).

Due to many services being stopped from lack of funding, women became at the mercy of untrained providers who use damaging instruments and procedures that lead to chronic pain or cause such extreme damage that they cannot have children in the future. Poor people lose access to safe abortion, die at higher rates due to unsafe abortion, and increase their level of poverty due to being forced into having more children than they can financially support (Howard & Krishna 2022). Even in middle to high-income countries, there has been a decrease of other reproductive services such as telemedical abortion services that had been a benefit during the COVID pandemic when health services were limited. Telemedicine services have been used for abortion services, including medical abortion, pregnancy counseling, contraceptive services, and other basic reproductive needs. As those services are shut down due to legislative restrictions, more people seek unsafe abortion methods (Graham 2022).

Additionally, there has been political fallout from the Dobbs decision seen worldwide. Reproductive rights activists are facing an increasing amount of smear campaigns and misinformation led by anti-abortion groups. An increase of misinformation on social media emboldens antiabortion groups making it far more difficult for abortion advocates to educate and help those in need of abortion and reproductive services (Howard & Krishna 2022). The politicization of abortion could lead to an increase in the prosecution of those who provide or seek abortion. It is reported that out of 88 countries where abortion is legal, 86 of those countries still have laws incriminating abortion at some level in the penal code. The prosecution of abortion not only exacerbates the stigma surrounding abortion but leads to an increase of unsafe abortions due to the fear of prosecution. (Singh & Sedgh 2022).

Many countries expanded abortion protections to reduce maternal mortality deaths and protect the reproductive rights of the citizens. The US court's decision threatens the expansion and protection of sexual and reproductive healthcare across the globe. It gives bolster to extreme conservative groups who seek to restrict all aspects of reproductive health (Singh & Sedgh 2022).

2.5 Communication and Sexual and Reproductive Health and Rights

Communication is a key component in the development of sexual and reproductive health and rights (Eboi, Ismail & Hamid 2022; Matos 2019; Nordbäck 2020). When we seek to advance

SRHRs through policy, it is imperative that how we present the messages are carefully considered utilizing rationality, science, and facts to educate and inform rather than using opinion or antidotal stories as evidence. This has not been an easy task for advocacy groups as they are undermined by religious and far-right groups pushing personal ideologies to reduce health services and access to reproductive healthcare. It is critical that the content is credible in both information and delivery, otherwise, it is easy for the public to dismiss the information as propaganda from the viewpoint opposite their own (Matos 2019). Sexual and reproductive health and rights have made great progress at an international level in recent years, however, grassroots and political acceptance is still deficient. This is especially evident in low-and middle-income countries which have large gaps in access and services. To achieve sexual and reproductive health all people must have the right to bodily integrity, autonomy, and privacy in all areas of health. This requires strong communication between the political, medical, and community to meet the complex needs of all parties involved (Nordbäck 2020).

Campaign strategies such as the #MeToo movement, Argentina's NiUnaMenos, and Amnesty International's My Body, My Rights campaign have helped to unite women around difficult issues and show that women's rights issues affect all of us, not only a select few (Amnesty International 2023; Me too 2023; Ni Una Menos). Campaigns like the above help to bring the issues into important conversations that are needed when bringing social change. They bring unity to the sensitive and difficult issues (Eboi, Ismail & Hamid 2022; Matos 2019). These campaigns utilize storytelling to draw larger audiences into the topic and engage the public in a personal manner. One strategy used by Safe Abortion Women's Rights was to add a hyperlink to a hashtag leading to the original text of the campaign. In doing this, the group combined the idea of using personal stories with factual information (Matos 2019).

Campaign frameworks are developed by selecting an aspect of the topic that may have misinformation or confusion, and bring attention to the problem for clarification, definition, evaluation, or treatment recommendation. Doing this brings significance and meaning to the target audience, allowing them to remember the information and make informed decisions when needed. Putting the information in context defines how people can evaluate the information, make decisions, and take action. There are four common functions of a frame within a text. Define the problem, determine the cause, make moral judgement, and give suggestions to remedy the problem being addressed. SRHR communication frameworks can include all or none of these, however the communication process should include the communicator, text, receiver, and the context or culture (Nordbäck 2020). When communicating about a problem in SRHR, knowing who the target audience is and the context of the information given is a vital aspect that the communicator should focus on when developing the text for optimal effect. The desired effect may be seen in a change in behavior or in the development of policy to support SRHR.

The language used in communication is particularly important and should use terminology consistent with the topic so that the information is easily understood by anyone who sees it. This has been a challenge seen in messaging in SRHR as the different advocacy groups and policy makers intentionally use ambiguous language that can carry multiple meanings to mislead the public in the goals of policy. This can be seen when concepts such as women's rights are only used in the context of safe abortion services, even though women's rights encompass much more than abortion. When we only hear the term 'women's rights' as it pertains to abortion services, it is difficult to reframe the term in other contexts. Terminology is confusing for the public and those working in the field, whether they be health care professionals or advocates. There is a deep disparity when debating the issues on a philosophical and personal level, where the definitions of sexuality, womanhood, motherhood, and tradition confuse the listener as they carry their own definitions of the topics. The idea of woman's bodies needing to be controlled and regulated separates the concept of bodily autonomy and personhood, slowing down the progress of SRHRs (Matos 2019).

The importance of language in developing effective campaigns is critical (Eboi, Ismail & Hamid 2022). Using variety in language and messaging increases the listener's ability to understand the importance of the message and how the proposed policy or legislation will impact the listener on a personal level. As a listener hears the information in multiple ways, they can deconstruct the information, reframe it in a way that resonates with their own beliefs and health needs, and then make informed decisions regarding legislation. SRHR are considered a high threat as far as messaging and language. They carry higher threats to our personal freedoms, sense of morality, and health security. Due to this threat, the use of guilt-inducing messaging inhibits our ability to understand and make educated decisions regarding legislation and health. Words that are direct and significant enough to widen our understanding of such complex and personal situations only support and encourage the public in supporting social and political change (Eboi, Ismail & Hamid 2022; Matos 2019). It is critical that the content and context of communication is evaluated to ensure the messages are effective.

Many NGOs focus more on research and fieldwork rather than political policy work. The efforts of research and fieldwork are easily pushed aside when NGO's must battle over the meanings and understandings of reproductive health being regulated on the political battlefield. NGOs can influence the political dimension as they use various communication methods to persuade the public in policy that would be beneficial to their cause. Advocacy communication is effective when the content is credible in both information and the way it is presented to the target audience (Matos 2019; Nordbäck 2020). This means, that if an advocacy group is working towards a certain policy being put into place, they must not only give information, but they must also provide the information in a way that is genuine and is

not sensationalized. The use of different advocacy strategies is essential when communicating with policy makers. The elements of SRHRs are interlinked making policy development complex (Nordbäck 2020). Policies on abortion do not only affect elective abortions, but treatment of miscarriage, contraception access and availability, sexual education and beyond. Unfortunately, little research has been done regarding SRHR policy influence, specifically messaging and how to communicate with policy makers and the public alike. Stakeholders and policy makers often contest SRHR development because of how under-researched the communication aspect is. (Nordbäck 2020). It is difficult to negotiate and mobilize advocacy efforts onto the policy agenda when there is little research to support the claims made. There is a gap between researching SRHRs and communicating that research to policy makers. There is also a gap between understanding the methods used to communicate and the messages being communicated. There is more research on communication methods and very little on the messages being used.

SRHR topics can be viewed from two general viewpoints. Either a human rights point of view or a medical point of view. There has been a shift toward the medical viewpoint in recent years as public health officials attempt to tackle difficult problems such the causes of maternal mortality and causes of racial disparity in healthcare. The questions of a woman's autonomy and the right to make choices for herself and her body then tend to become of less importance as they are more complex problems to solve. Technology and the causes of the problems women face in healthcare are not as useful if women cannot make their own choices surrounding the health problems they face. This shows the need for the media to provide in-depth factual reporting. The use of factual reporting with the use of direct and understandable language support and aids in advocacy groups communications. When the media focuses on information, they reduce stigma and prejudices in reporting as well as combat the mis-and-dis-information that is presented in social media or through opposing advocacy groups (Eboi, Ismail & Hamid 2022; Matos 2019). SRHR services have evolved greatly in the past 50 years. The 1980s HIV/AIDs epidemic combined with other SRHR issues impacted the way we linked health issues and human rights. It was the beginning of truly connecting the two different aspects of SRHR which should address both public health needs and human rights standards. If policy and government do not support this, then advancement and implementation of services will remain a barrier (Nordbäck 2020).

NGOs have found that there is a discourse between how to reach the public and how to influence the policy makers. In providing information to the public, online platforms are viewed as effective methods of communication. However, when it comes to influencing and informing policy makers, face-to-face communication carries a greater impact. (Matos 2019). It could be argued that when it comes to policy, both methods must be utilized as policy makers are the ones creating and debating the policy, and the public are generally the ones

who are voting on such policy. A multi-method approach to communication is needed in the case of policy.

All forms of media communication should be utilized for effective advocacy efforts. Television, print, and social media are all effective methods of communication. When used together, they are effective in promoting behavioral changes and providing solutions to strong structural inequalities which prompt changes in policy. For the public to be truly informed about policy changes, the media must use multiple methods of communication to maximize understanding and reach a wider audience (Eboi, Ismail & Hamid 2022; Matos 2019). Messages must consider the different views due to culture, religion, and context to avoid strong reactive resistance. Being sensitive to these viewpoints only strengthens understanding. To do this, strategies and campaigns must consider the micro-environment and tailor the information to individual audiences in the area (Eboi, Ismail & Hamid 2022; Matos 2019). For example, a campaign can tailor the message to a short sentence on Twitter with hashtags for those using social media, and then use pictures with different text on a billboard to reach others in the community. Without a diverse and strong media strategy, the purpose of the strategy is lost. It does not reach the intended audience (Eboi, Ismail & Hamid 2022).

Some audiences have a distinct need for SRHRs such as refugees, displaced people, sex workers, and populations with disadvantages such as those who are poor and less educated, people with disabilities, and those in the lesbian, gay, bisexual, transgender, and queer (LGBTQ+) community. People who belong in these groups encounter greater barriers to services and care and are at the highest risk to SRHR policy outcomes. Because of the personal and sensitive nature of SRHRs and the strong cultural, traditional, and religious beliefs that people hold, SRHR policies have strong opposition to changes from religious, community, and political leaders, particularly when the policies support the marginalized populations that can be seen as a threat to the tradition or religious beliefs of the community. Communication efforts can help to ease this opposition by raising awareness and influencing policy makers in the development of policy that meets the entire community's needs (Nordbäck 2020).

There are different strategies in the development of communication. They include behavior change communication, advocacy communication, participatory communication, mass communication, and communication for structural and sustainable social change (Nordbäck 2020). For SRHR development to have long-lasting impact, a participatory communication approach should be considered. Participatory communication emphasizes the structural aspects of policy and legislation along with the cultural elements such as community values, religion, and socio-economic factors that impact development. At the global and national level, communication efforts may involve mass communication with media mobilization to

raise awareness and influence public opinion and advocacy communication to network between partners and policy makers to influence policies. Community and local actions tend to focus on increasing the participation of local stakeholders, whether that be local political leadership or grassroots advocacy efforts. Community mobilization expands the public participation in debate and discussion efforts to increase the knowledge of the community resulting in better understanding and behavior change of those affected by the issues. It takes the community members from a passive participant into an active agent in the communication efforts (Nordbäck 2020).

Advocacy efforts raising public awareness regarding social problems and convincing policy makers that policy changes are needed are the primary focus of advocacy communication. Advocacy efforts are essentially an exercise in communication as it requires multiple methods to reach the wide audience they are trying to reach (Nordbäck 2020). No one communication source will be solely effective, it takes multiple methods and strategies to change policy and influence the views of the community. As this engagement between advocates, organization, the public, and policy makers increase, they are able to make decisions that benefit all participants. It is essential that the communication between the groups research, address and communicate the different factors and concerns that affect each group. Resistance and opposition are an important dimension in policy development. It may disclose new opportunities and methods for effective interventions and change. The communication of both the support and opposition of a policy change will only aid in strengthening the policy as then all areas of the policy are addressed (Nordbäck 2020).

Policy makers are expected to be accountable to the citizens they represent. Therefore, the wishes of the community should be present in the development of policy. For this to occur, mass communication is the only way for policy to be developed in a way that represents the cultural and moral stands of the community. The media plays a key role in communicating the issues surrounding the developing policies. Access to the media remains key. The mass media has the power to determine which issues are perceived as important to the public. The media determines what information and how much information is provided to the public. Media interventions have a positive influence on health-related policies by prioritizing and sparking discussions, raising policy makers awareness on the health issues, and gaining support from the public to advance policy change (Nordbäck 2020).

3 Study Aim and Objective

Aims:

The aim of the study is to analyze messaging used in news articles regarding legislation on abortion in two states in the US.

Objective:

The objective of the study is to determine what information is provided by the media regarding potential abortion related legislation.

4 Study Methods

4.1 Analyzing Method

The methodology chosen for this research is conceptual content analysis. Conceptual content analysis is a form of analysis that is used to interpret forms of communication. It can include text, images, or audio that come from news media, literature, interviews, focus groups and more. Content analysis involves the systematic analysis of the material's content to identify themes, patterns, or other commonalities to draw conclusions based on the findings (Bengtsson 2016; Colombia University 2023; Hassan 2023). For this research, the textual content in news articles was analyzed to identify themes and commonalities between news sources.

Content analysis can be used in a variety of research. It is used to describe and summarize communication, identify patterns and trends, examine meanings and interpretations and responses of communications, test theories and hypotheses, examine cultural differences in communication context, and pre-examine potential interventions and their potential impact (Bengtsson 2016; Colombia University 2023; Hassan 2023).

Advantages to using content analysis include its objective and systematic approach to examine communication using text, potential for a large amount of accessible data to be examined in a systematic manner, non-intrusive research method, can provide insight on communications that have a historical or cultural context, versatile method that can be used in a wide range of subjects, and a cost-effective method that requires little to no funding. Disadvantages of the method include the limited contextual information, subjectivity in coding, analyzing process is time consuming making it difficult to automate (Colombia University 2023; Hassan 2023).

The researcher followed a general outline for conducting conceptual content analysis as outlined in a framework found from Colombia University (2023). It includes the following steps:

1. Determine the level of analysis: words, phrases, sentences, themes.
2. Determine how many concepts to code: It was expected to see information related to the purposed legislation, supporter statements, and opponent statements. The study allowed for flexibility to add categories throughout the coding process as they became clear and relevant throughout the coding process.
3. Code for frequency of a category: The researcher counts the number of times the category is found in the texts.
4. Determine how to distinguish among concepts: Texts are coded in a logical manner to separate each code. This is needed when multiple codes were seen in a sentence. When multiple categories were seen, each were marked. This allowed for full analysis of the texts. For visual clarity, each category was given a different color during the coding process.
5. Determine rules for coding the texts: This ensures organized and consistent coding validating the research. Category rules can be found in Table 3.
6. Determine what to do with irrelevant information: irrelevant information is ignored for coding purposes. It is recognized that it may give context to the themes found, such as where a rally took place or where and why a person was speaking but is not information needed to determine results for the study.
7. The text is coded: Coding was done by hand. The researcher created two word-documents, one for each legislation. The documents contained the texts found in the news articles. They were formatted to be in the same font and size to ensure consistency in data collection.
8. Results were analyzed: Quantitative information was collected to determine the frequency of each category. Following this, themes and patterns in the information and messages found in the texts were identified for textual analysis.

4.2 Study Design

A qualitative approach utilizing conceptual content analysis was chosen in analyzing news articles surrounding two legislative acts that were brought to the public following the reversal of the US Supreme Court ruling of *Roe v Wade* on 22 June 2022. The two legislations were brought and supported by anti-abortion advocacy groups and government officials. The supporters of the bill are on the anti-abortion or pro-life side of the abortion debate and the opposition to the bill on the pro-choice side.

4.3 Study Setting

Montana and Idaho were chosen as the study setting due to their similar geographical, political, and population demographics (Table 1, Figure 1). Both states are primarily white, republican, Christian, and rural populations. It was important to compare states with similar

demographics as then the data is comparable, and commonalities and differences can be analyzed fairly. It would not be effective to analyze states with vastly differing demographics when analyzing the content and attempting to find the commonalities and differences of effective messaging.

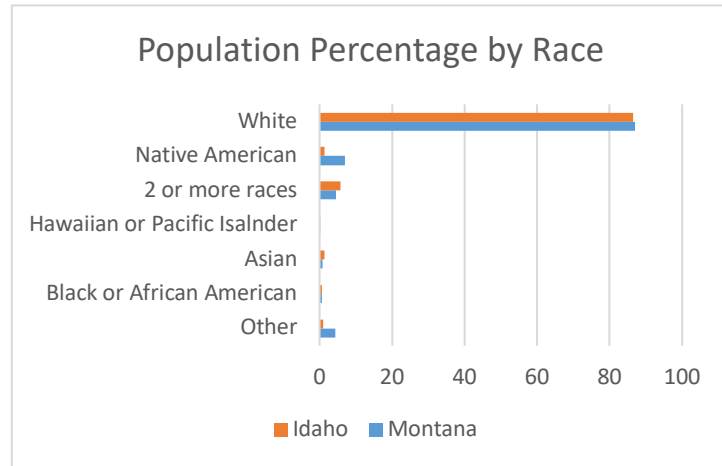


Figure 1: Population Percentage by Race; data collected from World Population review Idaho and Montana, 2023

	<i>Population</i>	<i>Republican</i>	<i>Democrat</i>	<i>Other Party</i>	<i>Christian</i>	<i>Non-Christian</i>	<i>Non-Affiliated</i>
<i>Montana</i>	1,139,507	49%	21%	30%	65%	5%	30%
<i>Idaho</i>	1,973,752	49%	19%	32%	67%	4%	27%

Table 1: Population Demographics for Montana and Idaho; data collected from World Population review Idaho and Montana, 2023

The two legislations were chosen due to the national attention they gained. There have been countless legislations brought to the public since the Dobbs decision. The states were first chosen based on the similar demographics of the population. From there, the legislations were chosen based on which legislations in the respective states gained the most national attention. This was done to ensure that adequate material would be available for analysis. It was decided to select one legislation that passed and one that failed to analyze what, if any similarities or differences in messaging that could have led to the differing outcome of the legislation.

The articles were analyzed to discover commonalities and differences between the articles, paying attention to the messaging methods used to present the information. It was important to analyze not only what information was presented but how and by whom the information was presented to the public to determine effective messaging when informing the public regarding legislation that has a direct impact on their sexual and reproductive health and rights (ShareNet International 2018).

4.4 Data Generation

The textual data generated for qualitative conceptual content analysis were from two legislative acts that were brought to the public following the reversal of the US Supreme Court ruling of *Roe v Wade* on 22 June 2022. The first being the Montana Born-Alive Infant Protection Act that failed and the second being the Idaho Abortion Trafficking bill that passed.

The steps used for searching and generating the textual data for content analysis are as follows:

Articles were collected by entering “Montana born alive initiative” and “Idaho abortion trafficking” into google search. This simple search was done as it would be what is most likely to be viewed by the public if they were looking for information. This allowed sources with known or unknown political bias, large and small newspapers, local and national to be discovered. The goal in the search was to find a wide range of articles to meet any readers viewpoint. News articles from local and national news sources were printed for coding and analysis. News articles that were a reprint or repeating articles seen in multiple sources were excluded from the final collection of articles for analysis. Doing this allowed for each article to be analyzed only one time for accuracy in data. The inclusion and exclusion criteria were very wide to ensure a large variety of articles that the public would see.

Inclusion	Exclusion
National Newspapers	Repeat Articles
Local newspapers	Election results only articles
All political bias or leanings	Articles from organizations

Table 2: Inclusion and Exclusion Criteria for Data Collection

A total of 24 articles were included into the content analysis relating to the Montana legislation. The timeframe of articles was from 9 September - 18 October 2022. There were 1734 lines of text with a total of 17,542 words analyzed. A total of 32 articles were included into the textual content analysis relating to the Idaho legislation. The timeframe of articles

was from 7 February-14 September 2023. There were a total of 2081 lines of text with a total of 21,715 words analyzed. The news articles were written by journalists either employed at the local or national newspapers where the articles were found. The journalists were tasked with reporting the information relating to the upcoming elections or political actions occurring in the relative state. They reported on the purposed legislations, with information coming from political representatives, advocates, supporters, and opponents of the bills. The newspapers ranged from large national and international to small local newspapers. This ensured the widest range of sources available to the public.

4.5 Content Coding

Once the articles were collected, all text in the articles were coded and analyzed in full. Two word-documents were created for coding purposes. One for each legislation. Each article was copied into the respective document and formatted into the same size and font to ensure consistency. The text from each article was coded into six categories. Three categories were preselected: legislation information, support, and oppose. The other three categories were selected once coding began and were seen as valuable information throughout all the texts analyzed. The first category, legislative information was included in the analysis as it is important to see what, if any, information directly related to the legislation was present in the news articles. Support for the bill was the second category. It is included to determine what information from the supporters was given, and in what context the support was given. In contrast, the opposition was also categorized to determine what counter information was given and the context in which it was given. The fourth category is abortion or other legislation which puts into context information about abortion in general or background legislation that may influence the proposed bill. The fifth category is ‘attention’ language. Being able to see when and by whom attention language is being used is important to distinguish. Attention language used in a quote is different than the journalists’ own words and when a journalist uses attention language it may show bias of the writer. Personal impact story is the sixth category. Storytelling is a useful communication tool and is often used throughout SRHR messaging. Determining the degree it is used in the media may show if it is an effective tool when it comes to legislative information. Each category was given a color to keep the coding organized and easy to analyze once coded. Throughout the coding, it was common for more than one color to be used in a sentence or paragraph. The criteria for each category can be seen in Table 3.

Category	Criteria
Legislation information	<ul style="list-style-type: none"> ▪ Purposed legislation information ▪ Ballot wording ▪ Legislation wording
Support	<ul style="list-style-type: none"> ▪ Statements made by supporters.
Opposition	<ul style="list-style-type: none"> ▪ Statements made by opposition
Abortion/legislation information	<ul style="list-style-type: none"> ▪ Abortion statistics ▪ Existing legislation information (not the proposed legislation) ▪ State or country statistics
Attention words	<ul style="list-style-type: none"> ▪ Exaggerated words ▪ Words created or used to generate an emotional response. ▪ Use or creation of words not generally recognized in medical or legal terminology
Personal impact stories	<ul style="list-style-type: none"> ▪ Patient story ▪ Doctor or patient experience ▪ Stories shared in the texts

Table 3: Category Code Criteria

Once coding was completed, each category was counted by how many lines of text were present. For the attention language, each word or phrase was counted. This provided information regarding how present each category was throughout the reporting of the legislation. It was also noted which articles were written before and after the legislation either passed or failed in the respective state. Once this information was determined, the results could be analyzed for content and messaging.

For the second part of analysis, articles that were written prior to legislation failing or passing were further analyzed to determine if the information was from a quote or non-quote, and then if what was said was information or opinion (Table 4). This assists the researcher in analyzing the content of the messages when the public is determining how to respond to the proposed legislation, whether through the voting process or contacting state representatives.

	Included	Excluded
Quote	<ul style="list-style-type: none"> ▪ In quotation marks ▪ ‘as stated by’ 	<ul style="list-style-type: none"> ▪ Summary from journalist what a person said
Non-quote	<ul style="list-style-type: none"> ▪ Summary from journalist what a person said 	<ul style="list-style-type: none"> ▪ In quotation marks ▪ ‘as stated by’
Information	<ul style="list-style-type: none"> ▪ Statistical information ▪ Practical application of legislation ▪ Medical standards of care 	<ul style="list-style-type: none"> ▪ Emotion or feelings ▪ Moral viewpoint
Opinion	<ul style="list-style-type: none"> ▪ Emotion or feelings ▪ Moral viewpoint 	<ul style="list-style-type: none"> ▪ Statistical information ▪ Practical application of legislation ▪ Medical standards of care

Table 4: Inclusion and exclusion criteria for analyzing contextual information

4.6 Reliability and Validity

As with all research, it is important to ensure the research is done in a reliable and valid manner. The researcher used standards according to Columbia University to ensure the research was trustworthy.

According to Columbia University, the three criteria required for reliable content analysis include (2023):

1. **Stability.** The coder focused on the six categories listed in Table 3 to ensure the consistency of coding throughout the coding period.
2. **Reproducibility:** Due to the specific codes used, the research can be reproduced, either with the same texts or a larger sample size to gain a larger perspective for the objectives.
3. **Accuracy:** The classification of the text can be determined by the key actors in the text. There are clear supporters and opponents of each legislation. The categories

used for coding set the standard for accuracy and consistency throughout the texts analyzed.

The three criteria for validity include:

1. Closeness of categories: Each category chosen has a specific definition and coding criteria (Table 3). The use of multiple classifiers for each category ensured that synonyms or other variables could be considered during coding to broaden the category if necessary. An example of this is the use of the words: Legislation, Act, and Bill. These terms are used interchangeably depending on the context, but all refer to the same legal document.
2. Conclusions: Implications of the data were secured using quantitative, measurable data as seen in the frequency of each category in combination with the qualitative data as to how the categories relate to each other to determine effectiveness of the messages being provided within the texts.
3. Generalizability of the results to a theory: The concepts are determined based on the information in the analyzed texts as they relate to the aims and goals of the research.

The researcher recognizes that conceptual content analysis carries a degree of variability due to differing viewpoints, subconscious biases, and human error. All efforts were made to reduce this variability throughout the analysis.

4.7 Ethical and Legal Considerations

There is no need for an ethical review for the project. The sources used for analysis are available to the public and the use of the articles for research purposes is protected under US Copyright Fair Use Section 107 which allows the use of copyright information for research purposes and Section 102 which protects the use of statements made by public figures, such as politicians. US copyright does not protect facts and information because there is no ownership over facts, therefore use of facts used in the research which were obtained in the news articles are permitted under US copyright law (U.S. Copyright Office 2023). The use of quotations and articles on current topics are protected under Articles 22 and 23 of the Finland Copyright Act, Act No. 404/1961 from the WIPO Database of Intellectual Property Legislative texts (World Intellectual Property Organization 1996). The use of newspapers and statements made in a public setting are protected under the Finnish Copyright Act section 25C (607/2015) and Section 25G (763/2013) (Finlex Data Bank). A list of articles used in the research is included in the appendix (Table 13, Table 14) to comply with Creative Commons International 4.0 (Creative Commons 2023). Any and all reproduction of text from the news articles is cited within the report and included in the references list.

4.8 Project Funding

The project was completed as a master's thesis through Laurea University of Applied Sciences. No funding was needed for the project. The project is supported by the Women in Global Health Finland organization. Women in Global Health is a global health movement focusing on gender equality, gender responsive health systems, and overcoming challenges in national and global health development. The project supports this goal by seeking to discover effective messaging methods that can be used when developing policies related to SRHR (Women in Global Health 2023).

4.9 Initial plan for reporting and publishing

The thesis report was presented via Teams on 8 November 2023 to the supervising instructor and other master students. Following approval, the thesis will be published on Theseus.fi.

5 Results

Results from the study will be given in four parts, the first being results from the Montana legislation, second the Idaho legislation, a third part discussing the combined results, and the fourth includes other results found throughout the study.

5.1 Montana Born Alive Infant Protection Act

Montana Born Alive Infant Protection Act showed a total of 249 lines of text with information about the legislation. 166 lines of text prior to the election and 83 lines post-election. 194 lines of text in support of the legislation, 158 pre-election and 36 post-elections. The opposition had 289 lines of text, 194 pre-election and 95 post-elections. Abortion or other legislation information had 121 lines of text, 63 pre-election and 58 post-elections. 200 attention words were noted with 83 pre-election and 29 post-elections. Personal impact stories have 112 lines of text, 83 pre-election and 29 post-elections.

Montana Born Alive	Total text lines	Pre-election	Post-election
Legislation information	249	166	83
Support	194	158	36
Opposition	289	194	95
Abortion/legislation information	121	63	58
Attention words	200	141	59
Personal impact stories	112	83	29

Table 5: Montana Born Alive Infant Protection Act Pre/Post Election Data Results

The results seen in Table 5 do show a difference in what and from whom the information is coming from. Most of the information provided comes from the opposition fighting against the legislation. The opposition provided more information regarding the proposed legislation, giving more context to how the legislation may be practically applied if passed. The opposition appears more invested in the legislation than the supporters based on the amount of messaging being reported.

5.2 Idaho Abortion Trafficking Act

The Idaho Abortion Trafficking act showed a total of 293 lines of text with information about the legislation. 96 lines of text prior to the election and 197 lines post-election. 187 lines of text in support of the legislation, 75 pre-election and 112 post-elections. The opposition had 445 lines of text, 107 pre-election and 338 post-elections. Abortion or other legislation information had 241 lines of text, 104 pre-election and 137 post-elections. 268 attention words were noted with 83 pre-election and 185 post-elections. Personal impact stories have 34 lines of text, 5 pre-election and 29 post-elections. (Table 6)

The opposition provided much more information against the bill compared to the supporters. However, most of the information was only given to the public after the legislation had already been signed into law by the Governor. There were not many articles or information prior to being passed into law.

Idaho Abortion Trafficking	Total text lines	Pre-election	Post-election
Legislation information	293	96	197
Support	187	75	112
Opposition	445	107	338
Abortion/legislation information	241	104	137
Attention words	268	83	185
Personal impact stories	34	5	29

Table 6: Idaho Abortion Trafficking Act Pre/Post Election Data Results

5.3 Comparison of Montana and Idaho Results

The comparison between the states, both pre- and post-election, was an important result of the data (Table 7). In doing this comparison, we can see the difference in information provided both before and after legislation. When it comes to messaging, this shows what information was important for policy makers to provide to the public. When information is

given prior to legislation being passed, both supporters and opponents can take action. This action can include additional education of the public or alterations to the wording in policy ensuring it meet the needs of the public more efficiently and clearly. When information is primarily provided after legislation is passed, the public is left to wonder how it applies to them and their health care. It leaves the opposition only able to fight against it through lengthy legal processes and the supporters no longer have a responsibility to ensure the policy's success and efficiency.

	MT Pre-legislation	ID Pre-legislation	MT Post-legislation	ID Post-legislation
Legislation information	166	96	83	197
Support	158	75	36	112
Opposition	194	107	95	338
Abortion/legislation information	63	104	58	137
Attention words	141	83	59	185
Personal impact stories	83	5	29	29

Table 7: Montana and Idaho category results

The supporters provided 59 lines of information relating to the bill in Montana and 77 lines of opinion. Of those lines, 76 lines were in a direct quote by a supporter of the bill with 56 lines not in a direct quote. When compared to the opposition, the opponents had 103 lines of information relating to the bill with 86 lines of opinion. 95 lines were in a direct quote by an opponent and 100 lines were not in a direct quote.

For the Idaho bill, the supporters had 60 lines of information directly related to the bill with 24 lines of opinion. 44 lines were in quotes by a supporter and 42 lines not in a direct quote. The opponents provided 68 lines of information, 31 lines of opinion. 33 lines were a direct quote and 56 lines not a direct quote.

This information shows that in Montana messages relating to information about the bill were provided by opponents of the bill prior to the legislation failing in the election and most of the information was not provided in a quote (Table 8). The supporters of the bill utilized more opinion in their quotes than they used information or non-direct quotes to convey their message. This was also seen in Idaho (Table 11), but with much less margin of difference in the numbers. A direct quote offers the public the ability to analyze the intent and context of the information being given. Whereas a non-quote allows the journalist the ability to combine information from multiple sources to draw a conclusion. In this context, a non-quote can provide more information in a condensed form. A direct quote can be taken out of context by the journalist and may or may not give the full opinion or statement of the speaker. The

public may see the same quote being given in different contexts throughout different media sources.

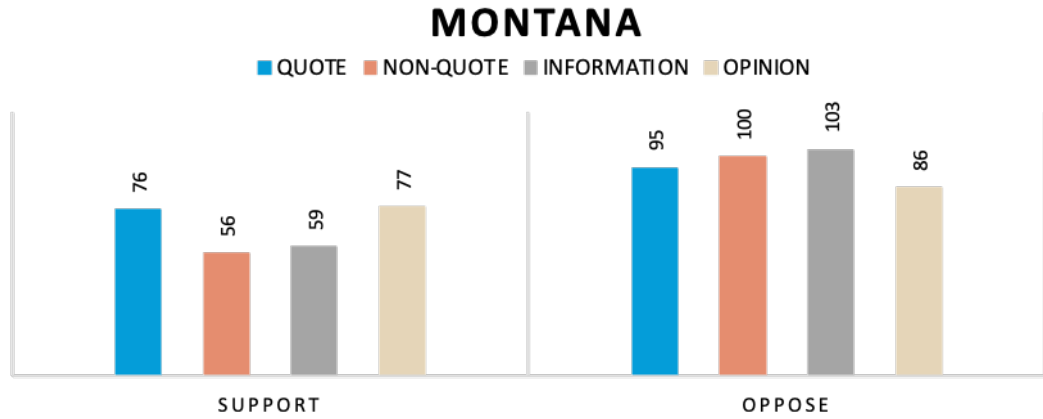


Table 8: Montana support and opposition comparison results

Throughout the analysis of the articles there were very specific aspects worth noting and discussing as they relate to messaging. The supporters of both legislations were primarily political representatives who gave brief and dismissive information to the journalists who were asking the questions. Their official statements were short and lacked the practical information being asked of them. Comments regarding the Montana’s Born Alive act (Table 9):

SUPPORTER STATEMENTS

OPPOSITION STATEMENTS

The current state law ‘basically says don’t kill it.’ This bill says, ‘save it’. That’s the difference. - Senator Tom McGillvray (as cited in Associated Press 2022):

The difference in interpretation appears to be how to define ‘medically appropriate and reasonable care and treatment’ and whether the proposed law would apply in cases where an infant is born with medical issues, such as underdeveloped vital organs, that are not compatible with life. - Associated Press 2022

It’s a life, at least try. My thing is, how many of them believe in abortion? If they do believe in abortion, how can they talk about compassion? They can’t. - Dale Stickaer (as cited Girten)

The clinical situations where we are dealing with an infant born alive is in the setting of a rapid, pre-viable preterm birth or in the setting of these lethal fetal anomalies where we know interventions are not going to have a change in the outcome. -Dr Tim Mitchell (as cited in Weitz 2022)

This goes right down to, are we going to stand for life, or are we going to throw it away. -Republican Representative Matt Regier (as cited in Silvers 2022)

...concerns is the criminalization of caregivers for utilizing long-standing standards of care. -Rich Rasmussen (as cited in Girten 2022)

Table 9: Statements from supporters and opponents of Montana Born Alive Act

All articles analyzed provided information regarding the legislation. They all provided some aspect, often the same sentences or paraphrasing of the legislation. There were four articles that provided the exact ballot information for the Montana Born Alive Infant Protection act. However, articles are quoting and referencing the actual text of the legislation without providing access to it. And the information in the legislation was different than the ballot. The ballot in Montana left out some key pieces of information that were discussed by the opponents. In doing this, voters are seeing different wording and phrases used regarding the act.

“The referendum is described on ballots as the Born Alive Infant Protection Act. If passed by voters, the new law would establish penalties for health care providers if they did not provide necessary medical care and treatment to preserve the life of infants born alive, including infants born alive after an abortion. If a health care provider violated the act, the maximum punishment would be a \$50,000 fine and up to 20 years in prison.” -Nerbovig 2022

“LR-131, a referendum for the Born Alive Infant Protection Act, would require doctors provide resuscitative care to infants born at any stage of development, or face penalties....The Born Alive Infant Protection Act would require medical providers give life-saving care to infants born at any stage of development: born as a result of ‘natural or induced labor, cesarean section, induced abortion, or another method’ the legislation reads.” -Weitz 2022

Table 10: Comparison of the wording used in the Ballot and Legislation regarding the Montana Born Alive Act

As can be seen in Table 10, the first was using the language in the ballot and the second was from the legislation. The legislation gives more information as to how an infant may be born alive that would be a part of the practical application of the bill. If a person only reads the ballot language, they may believe that the bill will only apply to elective abortions, something the supporters of the bill want people to believe is a common occurrence. The opponents brought to the attention of the public that the bill would also include infants born prematurely and would therefore have a very different practical application. Supporters omitting information in their messaging, is not beneficial to their overall message or cause. If they wanted the message to be clear, that they were wanting to stop the intentional deaths of elective abortions that were not performed correctly and an infant was delivered alive, then hiding the legislation information by omitting it in the ballot language, was not effective messaging. It is not effective because the opponents are going to use the legislation information to show the full extent of the legislation. The opponents utilized effective messaging by using the language used in the legislation more than in the ballot.

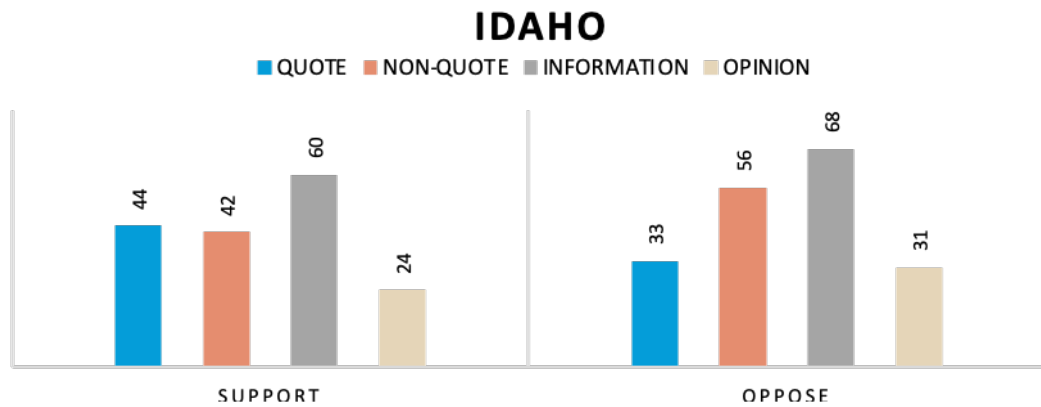


Table 11: Idaho support and opposition comparison results

In Idaho the quotes (Table 12) are powerful, emotional statements. They create a strong emotional reaction that could easily sway a person to support the bill on emotion alone. However, none of the quotes provide practical application information. They do not give any additional information about the bill or how it will affect the community. They show compassion for our children, something that people can all agree with, regardless of their viewpoint on abortion. But they address that compassion from different perspectives. The supporters focused on the perspective of a parent's responsibility and right to protect their children. The opposition focused on protecting children from homes where abuse may already be occurring or in which an unplanned pregnancy or abortion may lead to harm of the minor child.

SUPPORTERS STATEMENTS

...interference with Idaho's pro-life law and another example of Biden overreaching yet again, - Gov. Brad Little, (as cited in El-Bawab 2023)

We are only looking to protect our children. -Republican Representative Barbara Ehardt (as cited in Varney 2023)

That's just kidnapping, by any means, if you take a girl away from her parents when she's a minor and her parents have authority over her. When we look at situations like that, my heart goes out to them. What can I do but pray from a distance and think, how can that be better? But two wrongs don't make a right. -Ryan Alexander (as cited in Varney 2023)

OPPOSITION STATEMENTS

The majority of young people facing an unexpected pregnancy do involve their parents in their decision making. But for young children living in abusive households, disclosing sexual activity or pregnancy can trigger physical or emotion abuse, including direct physical or sexual violence, or being thrown out of the home, -Mistie DelliCarpini-Tolman, Idaho State Director for Planned Parenthood Alliance Advocates (as cited in Kirch 2023)

Now, they are using an incredibly serious term like 'trafficking' to talk about young people traveling with trusted adults to access a legal procedure in another state. It's despicable. - Mistie DelliCarpini-Tolman, Idaho State Director for Planned Parenthood Alliance Advocates (as cited in Browning 2023)

Table 12: Statements from supporters and opponents of Idaho Abortion Trafficking Act

The way the messages are being given to the public are vastly different. The supporter's statements give little to no information as to how the respective bills will be applied in real life situations. They do not help the public understand the legislation and how it may affect their access to health care services or treatments. In Montana, the opposition is asking for clarifications to the legislation and how it will be applied to the far more common situations that are currently seen. It provides information as to treatment options for pre-term birth in Montana and how current standard practice operates in comparison to how the proposed legislation may change that. And for Idaho, statements as to the negative affect the

legislation may have on the minors in the community are discussed. In doing this, the messaging is informative and allows for logical and practical examination of the legislation before it is put into law.

This is not to say that supporters did not give any information related to the legislations. They did provide practical information. But as the results showed, the supporters primarily provided opinion on abortion in general, and not on the specifics of the legislation. The opinions were not based on statistical information such as current abortion statistics or standard medical practice. The opposition provided more information than it did opinion. The information provided was supported by abortion statistics and standard medical practice also included in the articles. There were articles that provided statistical information about abortion and the occurrence of live births following a 'botched abortion'. When Republican Representative Matt Regier was asked about the frequency, he could not provide the statistic and only stated "Regardless of the numbers, we don't want one to be intentionally taken." (as cited in Hanson 2022). Seeing the statistics in an article along with statements from supporters like the one from Republican Representative Matt Regier calls into question the reliability and credibility of the supporters' statements. Opponents in Montana and Idaho had statistics supporting their stance. The supporters did not.

Comparison of the states brought interesting and valuable insight. It is important to consider what information was provided and by whom, both prior to and after legislation was passed. In the two states analyzed here, Montana's legislation was first brought to the public to vote on in an election. This provided the supporters and opposition of the bill to inform and convince the public that their position was in the best interest of the public's health needs. It also provided the opportunity for the opposition and supporters to work together to adjust wording or clarify the practical application of the legislation prior to the legislation being enacted if passed. In Idaho, very little information was reported on the proposed legislation prior to the final signature of the Governor putting into law. Most of the information regarding the legislation was reported only after it was passed. This lack of reporting takes away from both the supporters and opposition. The supporters no longer have any responsibility to inform and ensure the people understand the value of the legislation for the community. The opposition now has only one recourse of filing additional, time-consuming lawsuits to attempt to correct or clarify pieces of the legislation that may harm or remove health access from the community.

There was confusion in the Idaho bill reporting. All articles referred to the proposed legislation. Most of the articles described the two parts of the legislation. The first part referred to transporting a minor to another state for an abortion. The second part was information regarding the ability to file a civil lawsuit against the medical providers. The issues came with a few select articles stating the civil lawsuit part of the legislation was

already part of a different legislation previously enacted. None of the articles provided the legislation in full, requiring more research on the readers part to know what is correct. The report should be clear as to what the legislation says. And in this case, it was not. It is unclear if it was the policy makers who did not communicate the extent of the legislation or the journalists who did not do due diligence in knowing what was included in the bill. Regardless of whether it was the legislators or the journalists, not having clear information does a disservice to the public. The public, both supporters and opponents, are left with questions and uncertainty about the legislation. The message is incomplete, which makes it ineffective at best, and deceptive at worst.

The data showed that the use of direct information messaging has a strong impact when compared to opinion or personal story messaging. The opponents in Montana provided more information relating to practical application of the legislation than the supporters did. It is a reasonable conclusion that the information led to the failure of the bill. It showed the public the negative impact the bill would have on their healthcare and treatment options without the use of opinion or storytelling. Opponents were successful in demonstrating the harmful components of the bill. The supporters were not able to counter this. In Idaho, the opponents provided more information but were unable to influence the Governor in the final step before the legislation was passed. The public was given less information about the bill prior to it being passed. This is not effective messaging if the supporters and opponents want to educate and inform the public.

5.4 Other results

In Montana the personal impact story used by the opponents to show the harm the bill could cause was repeated in 14 articles. It was a story which is intended to create compassion and sympathy for parents who suffer the loss of their infants. It is a powerful story. But, when repeated over and over, the story loses the impact it intended to give. And yet, this is no fault of the woman who shared her story during a rally to bring awareness as to how the legislation could impact pregnant women who face the worst in pregnancy. The loss of impact comes when journalists repeat the story, whether in part or in full, over and over. By comparison, in Idaho there were more stories from doctors and advocates about how the legislation directly impacts their ability to serve the population and its direct impact on the community. There was some repeating of stories or situations doctors and advocates have seen, but far less overlap by the journalists repeating the stories. This variety gave depth to the information. It provided multiple ways the law could be applied at a practical level within the health community. It allows the readers to identify with and see the direct impact the legislation can and will have on them personally and in their community. For the use of personal impact stories to have impact and meaning, it is essential that a variety of stories are used and that they vary from each other to show multiple scenarios and practical

application. The Montana story showed only a fraction of the practical application that the proposed legislation could have on pregnant mothers who may have to deliver a child with severe fetal abnormalities, which is a rare situation. Articles addressed that the legislation would have an impact on infants born prematurely, but the only story was of an infant born with fetal abnormalities in which the infant would not survive. Supporters did not provide any personal impact stories to show the potential benefits of either legislation.

Emotional messaging does have a purpose and a place. It can bring people together for a common cause. The issue comes when the emotion does not coincide with statistical or practical information. If an emotional message is used along with statistics, such as with the personal story provided throughout the Montana articles, then it creates credibility to the story and how the legislation may be realistically applied. The emotional messaging seen in stories from Idaho had the same effect. They were able to show the realistic impact the bill may have on the community, leading them to be an effective message method. The use of emotional messaging in Idaho from both supporters and opponents showed the difficult balance policy makers have in developing policy that meets the complex needs of the communities. Both supporters and opponents expressed the desire to protect minors who have an unplanned pregnancy, it was in how that is done that was the difference. Both used emotional messaging with the same goal in mind, protecting minor children. That commonality can be a huge strength in the development of legislation when combined with practical applications and statistical support.

Attention words were not a large focus of the text. This was a surprise as it is often those attention words that grab the attention of the reader in the headlines to get them to read the article. The actual content contained very little attention words. Attention words were any word that was intentionally used to garner attention when another less reactive word could have been used. There was one term that was highlighted throughout the Idaho legislation, "Abortion Trafficking". It was noted as an attention word as it is not a recognized term in legal or medical terminology. It is a term that Idaho lawmakers created specifically for this legislation, as the bill would fall under their general trafficking legislation, like human or sex trafficking. By creating a new term, that is not grounded in existing legal or medical terminology, it leads to a strong reaction from those who see the word. It creates an association of force and loss of personal autonomy associated with human and sex trafficking. As there is no force or loss of autonomy with a minor accessing abortion services, it is a term that's only logical purpose is to bring an emotional response to the reader, which is a disservice to the actual message of the legislation. Outside of the term 'Abortion Trafficking', attention words were primarily seen in quotes from both supporters and opponents and not in the journalists writing. It would be logical to have those speaking in support or opposition to use words that create a reaction. And it was appropriate for the media to use the full quote, while not repeating the words in the journalists' writing. Attention words are not needed for

effective messaging. When so little was used throughout all articles in both legislations, it was not a primary messaging method, and it was not needed to be effective in relaying the messages. Based on this limited research, it would be concluded that attention words are not an effective messaging method.

The use of existing legislation became an important element in the information provided regarding the legislations. Information regarding other existing legislation helps to put into context the proposed legislation and allows for people to see the benefits and disadvantages new legislation can have. Montana opponents gave examples of existing legislation that showed there were already laws in place preventing the intentional, neglectful killing of infants. Idaho supporters counteracted the constitutional right to movement by saying the legislation only applied to movement within the state, not when a person traveled outside of the state. They quoted legislation that gives parents authority over their minor children's medical decisions as a reason why the proposed legislation was needed. Ensuring the public is aware of existing legislation is an effective messaging practice. It ensures the public understands what protections are already in place and the need for new or clarifying legislation.

Providing up-to-date statistical information regarding abortion educates the public in how needed proposed legislation is. It is an important part of messaging. It allows the public to know if legislation needs to be enacted or if existing legislation is working to serve the needs of the public. News articles in Montana reported how many abortions occur after 21 weeks, or gestational viability. They also outlined the survival rates at different gestations after viability. This was very effective messaging used by opponents of the bill as it countered the supporters claim that so-called botched abortions occurred often and were a problem that needed solving. Idaho provided information regarding the percentage of abortions for minors under age 18. These statistics are such a valuable piece of information when determining if legislation is needed or not. The statistics were given in articles after the legislation was already passed, so it could not have the same effect for the opposition as seen in Montana. For Idaho to have used statistics more effectively in any messaging, the information should have been given prior to legislation being passed. The statistics in Idaho did not support the passed legislation. The statistics were stronger for the opposition's position on the bill. After the Idaho legislation was passed, the statistics were then used when discussing the grounds for fighting the legislation.

Throughout the examination of the information provided in the analyzed articles it was interesting to see the difference in messaging between the states. Both states' legislations were supported by anti-abortion groups. But the supporters in Montana utilized information messaging methods more than the Idaho supporters. The Idaho supporters did not seem to want to inform or educate the public regarding the legislation. It was awaiting the final

signature of the governor, so perhaps they did not see the need to continue fighting for their cause. But few articles were found about the legislation even before it went to the final step of the governor's signature. It is not effective messaging if the supporters have lost the desire to inform the public about the benefits of the bill. It is also not effective for the opponents to provide messages about the harm of the bill after it is already passed. This is likely a political technique used by both supporters and opponents. But it is not an effective messaging method when it comes to sensitive and critical health subjects, such as abortion.

It was observed the strength that emotional statements have when it comes to health issues rooted in personal morals such as "*The current state law 'basically says don't kill it.' This bill says, 'save it'*" - Senator Tom McGillvray (as cited in Associated Press 2022). The quote itself does not provide any practical information, but it draws on the moral viewpoint of a person. Abortion is such a personal and morally rooted issue that statements such as this can easily sway a person. No one wants to see the intentional killing of an infant. This type of statement relies on the moral position to convince the public that legislation is needed, regardless of any other statistical or practical application information provided. It is a powerful message that cannot be minimized.

6 Discussion

The reversal of Roe v Wade with the Dobb's decision has brought a new and intense wave of abortion legislation in the United States. There has been no indication that the influx of new legislation will be slowing any time soon. Abortion legislation has a ripple effect on women's health care and treatment options, at a national level and a global level. With many countries having used the Roe v Wade as precedence to their own abortion legislation and policies, the same is now being seen with the use of the Dobb's decision to reverse or further restrict abortion and reproductive health services and rights across the globe (Howard & Krishna; PMNCH 2023; Singh & Sedgh 2022). With this, comes the need to evaluate and analyze how and what messages are provided to the public regarding proposed legislation.

The media is a powerful tool for advocacy groups and should be utilized wisely. The groups behind abortion legislation are primarily pro-life and pro-choice groups (Joffe 2004). Either group can be a supporter or opponent of proposed legislation. We could see how strong advocacy voices are through the media when we looked at the two legislations in this study. The opposition for Montana Born Alive initiative utilized the media to show the harmful effects of the proposed legislation. They were able to educate the public as to what the supporters called 'botched abortion' and what the real-life situations they would be struggling to manage if the act was passed. Educating the public was the oppositions key in their messaging. They utilized statistics and standard medical practice to support their

statements as to the harm of the bill. The supporters focused on emotional messages and did not have statistics or medical standards to support their viewpoint. It can be reasonably concluded that this is why the bill failed in the elections. The public was educated and could see the harm the act would have done if passed.

When analyzing the messages from the supporters and opponents of the legislations, the groups often had similar goals and viewpoints. In Idaho, both the supporters and opponents had the goal of protecting minor children. They had differing opinions as to what that looked like, but the goal was the same. Both groups wanted to protect minor children who were faced with unplanned pregnancy and the difficult decision to have or not have an abortion. The supporter's viewpoint was that it was critical parents are involved in the decision-making process in order to protect their child. The opponent's viewpoint was one of concern for those children who did not have supportive parents and who may face violence or other harm by their parents. Perhaps had the advocacy groups been able to work together to find solutions that both support parents in being active in the difficult decision-making process and protect children from further harm, the legislation could have been a strength to the state abortion laws.

A similar observation was seen in Montana. No one wanted infants to die if the deaths could be prevented. The supporters and opponents both agreed that an infant's life should be protected and saved. But they disagreed as to what that meant as far as the wording of the legislation and how the legislation would be applied in the medical field. The supporters did not seem to understand the medical side of the issue, as they focused on the so-called 'botched abortions' and elective abortions. The opponents had statistics and medical information to show that the legislation would not apply to elective abortions, but to the unfortunate and difficult situations of preterm labor, pre-viability deliveries, and infants with fatal fetal anomalies. For legislations to be truly affective and meet the needs of the public, it would be beneficial for the pro-life and pro-choice groups to work together with policy makers to find solutions that satisfy both agendas and the public's health needs. In this legislation, it is possible the supporters and opponents could have worked together to clarify the wording of the legislation so that it was clear how it would be applied in the medical setting.

The research brought to light some important aspects of messaging, particularly when the media is reporting information and messages from two polarizing groups. The benefit of the media reporting the messages from both supporters and opponents of legislation is that the public has all the information in one place. The media has the responsibility to report all messaging provided by both supporters and opponents. In doing this, the public can voice concerns or questions to both sides of the legislation. Clarification, and correction to unclear wording can be made so that the legislation benefits the community in the most effective

way. Without the cooperation between the groups, we cannot develop beneficial legislation (Nordbäck 2020). Messaging is the basic element of this cooperation. The public relies on the news to provide them with non-biased information regarding upcoming legislation.

The media reporting the information with language that people can understand is essential. The use of ambiguous language or complex medical and legal language makes it difficult for the public to understand the legislation and the effects it may have on their healthcare (Matos 2019). The creation of terminology, such as the case with Idaho Abortion Trafficking Act creates a challenge for the media. When the terminology is created for the legislation, the meaning may not be commonly known by the public or may carry specific connotation not necessarily related to the legislation. The media must use the language in the legislation, but also must make the meaning of the terminology clear to the public (Eboi, Ismail, Hamid 2022; Matos 2019).

Providing the messages and information prior to legislation is critical. Any information that is given after legislation is passed does not allow the public or advocates to clarify or change their opinion for voting purposes. The message that comes after legislation has passed, especially when it is legislation passed through government channels and not through a democratic process such as elections, is that the opinions and values of the people do not matter. Regardless of the position one has on abortion, this is not effective messaging. Legislation is intended to represent what the public values, but if the public does not have the opportunity to state its viewpoint, it creates distrust between the public and elected officials. It conveys the message that what the public values do not matter to the elected officials.

The media has a difficult responsibility in reporting what is said by the supporters and opponents of legislation, including presenting direct quotes which carry emotion and opinion. But they must find the balance of not creating a good guy verses bad guy narrative. All legislation has supporters and opponents. In abortion issues, those groups are primarily the pro-life and pro-choice groups. Both advocacy groups are loud and have strong opinions. The words and messages of these groups can be very linear and do not appear to have room for exceptions or diverse viewpoints (Matos 2019). We often make decisions on abortion issues based on our personal values and morals, but we also must recognize that by assigning good or bad towards those who support or oppose a bill, it can hinder our understanding of the impact a bill may have on our access to healthcare and treatment options. When we hear a bill is an 'anti-abortion' or 'pro-life' bill, we naturally have a preconceived notion as to what the legislation is about before we hear more than a headline. The media can help to manage this preconception by providing information that shows both viewpoints (Eboi, Ismail, Hamid 2022; Matos 2019). The supporters and opponents of legislation should focus on educating the public as to how the bill is beneficial or potentially harmful to the health and wellbeing of

the public. In sharing both viewpoints, the media helps to educate the public on the impact potential legislation may have on our sexual and reproductive healthcare. Doing this helps to avoid the good guy and a bad guy narrative and allows for legislation to benefit the needs of the community. Staying neutral while presenting the messages available is an ethical responsibility the media must hold.

7 Conclusion

The effects of the reversal of Roe v Wade with the Dobbs decision will be seen for years to come. The debate over abortion legislation will continue to be fought by pro-life and pro-choice political representatives and advocates. The messages used by supporters and opponents of proposed legislation must be carefully chosen to ensure effective legislation is passed. The research found that abortion messaging is most effective when it is informative and includes practical application to real life situations. Abortion messaging should include up-to-date statistical information that supports the position of the supporters or opponents of proposed legislation. Emotion and moral messaging is effective in gaining support and creating a sense of unity, but it does little to promote legislation. Regardless of a person's stance on abortion, the research showed that practical information messaging is more effective than emotional statements. Emotional messaging may unite people in their moral viewpoint, but it does not provide a person with the information they need to make informed decisions, such as with legislation.

It is recommended that reporting of the long- and short-term consequences, both intended and unintended, is done in the media. It is recommended that the media report on the outcome of legislation and the way it is practically applied to those in the community. Otherwise, the public is unaware of both the benefits and harm the legislation is causing. We cannot only report the information right before and after legislation is passed. We must continue to report the effects the legislation has on the community.

It is recommended that policy makers and advocacy groups focus on information-based messaging over the use of emotional messaging. Abortion legislation is sensitive and difficult to discuss without bringing personal morals and opinion into the discussion. This is why it is recommended that policy makers and advocacy groups work together with those in the medical field to ensure the legislation is created in a way that meets the practical application and standard medical practice. If legislation cannot be applied in real life situations that are seen in the medical community, then it is not effective legislation. It is recommended that we close the gap between the policy makers who debate the morality of abortion and the medical field who see the realities of abortion daily. The common ground is to serve the communities around them. This is only done with cooperation and communication.

It is recommended that further research be done to expand on the impact the media has on messaging within the development of SRHR, especially abortion due to the wide impact abortion laws have around sexual and reproductive healthcare. This report is a small part of this development, but the research needs to be expanded to gain a deeper understanding and to create change within the field.

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Appendix

Table 13: Idaho Articles Used for Research

News Article	Article name, author and weblink
AP press	<p>Idaho governor signs 'abortion trafficking' bill into law unknown</p> <p>https://apnews.com/article/idaho-abortion-minors-criminalization-b8fb4b6feb9b520d63f75432a1219588</p>
Idaho Capital Sun	<p>Advocacy groups file lawsuit against Idaho's 'abortion trafficking' law. Kelcie Moseley-Morris</p> <p>https://idahocapitalsun.com/2023/07/11/advocacy-groups-file-lawsuit-against-idahos-abortion-trafficking-law/</p>
NPR	<p>Idaho lawmakers pass a bill to prevent minors from leaving the state for abortion. James Dawson</p> <p>https://www.npr.org/2023/03/30/1167195255/idaho-trafficking-abortion-minors-interstate-travel-criminalize</p>
Kff Health News	<p>In Idaho, taking a minor out of state for an abortion is now a crime: 'Aboriton trafficking'. Sarah Varney</p> <p>https://kffhealthnews.org/news/article/idaho-abortion-travel-ban/</p>
Boisie State public radio/NPR	<p>While some abortion policies face legal scrutiny, idaho's 'abortion trafficking' law goes into effect. Julie Luchetta</p> <p>https://www.boisestatepublicradio.org/politics-government/2023-05-09/idaho-abortion-trafficking-laws-ban</p>
The Guardian	<p>Idaho governor signs law banning adults from helping minors get abortions. Unknown</p> <p>https://www.theguardian.com/us-news/2023/apr/06/idaho-abortion-trafficking-law-governor</p>

ABC news Idaho governor signs 'abortion trafficking' bill into law, 1st of its kind. Morgan Winsor

<https://abcnews.go.com/US/idaho-governor-signs-abortion-trafficking-bill-law/story?id=98399580>

KUOW NPR network Idaho's 'abortion trafficking' law prompts pushback from Washington leaders. Paige Borwning

<https://www.kuow.org/stories/idaho-s-abortion-trafficking-law-prompts-pushback-from-washington-leaders>

KMVT 11 Idaho abortion trafficking bill is heading to the Senate to be amended. Steve Kirch

<https://www.kmvt.com/2023/03/28/idaho-abortion-trafficking-bill-is-heading-senate-be-amended/>

PBS Idaho governor signs ban on abortion trafficking. Associated Press

<https://www.pbs.org/newshour/politics/idaho-governor-signs-ban-on-abortion-trafficking>

Fox News Idaho's 'abortion trafficking' law means adults can be locked up for supplying pills to minors. Jon Brown

<https://www.foxnews.com/politics/idahos-abortion-trafficking-law-means-adults-can-be-locked-up-for-supplying-pills-to-minors>

American Independent Idaho governor signs 'abortion trafficking' bill into law. Associated Press

<https://americanindependent.com/idaho-governor-abortion-trafficking-bill/>

Business Insider Idaho GOP lawmakers want to classify anyone who helps a minor cross state lines to get an abortion as a human trafficker and punish them with up to 5 years in prison. Loyd Lee

<https://www.businessinsider.com/idaho-bill-helping-minors-get-abortions-classified-human-trafficking-illegal-2023-2?r=US&IR=T>

Yahoo News Under Idaho's new 'abortion trafficking law, adults who help minors get abortions could face jail time. Laura Ramirez-Feldman

<https://news.yahoo.com/under-idahos-new-abortion-trafficking-law-adults-who-help-minors-get-abortions-could-face-jail-time-181243619.html>

Reuters Idaho bill would ban minors from travel for abortions without parental consent. Sharon Bernstein

<https://www.reuters.com/world/us/idaho-bill-would-ban-minors-travel-abortion-without-parental-consent-2023-03-31/>

The Hill Idaho governor signs ban on abortion trafficking. Julia Mueller

<https://thehill.com/homenews/state-watch/3936795-idaho-governor-signs-ban-on-abortion-trafficking/>

Kff Health News Groups sue to overturn idaho 'abortion trafficking' law targeting teens. Sarah Varney

<https://kffhealthnews.org/news/article/idaho-abortion-travel-ban-lawsuit-challenge/>

Boisie State public radio/NPR Idaho legislature passes 'abortion trafficking' ban. James Dawson

<https://www.boisestatepublicradio.org/politics-government/2023-03-30/idaho-legislature-passes-abortion-trafficking-ban>

Idaho Capital Sun Idaho house committee moves 'abortion trafficking' bill forward. Ruth Brown

<https://idahocapitalsun.com/2023/03/03/idaho-house-committee-moves-abortion-trafficking-bill-forward/#:~:text=The%20Idaho%20House%20State%20Affairs,%20Idaho%20Falls%2C%20and%20Rep.>

Boisie State public radio/NPR Gov. Little signs 'abortion trafficking' bill into law. James Dawson

<https://www.boisestatepublicradio.org/politics-government/2023-04-05/gov-little-signs-abortion-trafficking-bill-into-law>

Fox News Idaho lawmakers consider criminalizing adults who help minors get abortions. Associated Press

<https://www.foxnews.com/politics/idaho-lawmakers-consider-criminalizing-adults-help-minors-abortions>

NBC News Idaho becomes one of the most extreme anti-abortion states with law restricting travel for abortions. Aria Bendix

<https://www.nbcnews.com/health/womens-health/idaho-most-extreme-anti-abortion-state-law-restricts-travel-rcna78225>

**Idaho
Capital Sun**

New bill would criminalize trafficking of minors to receive abortions in or outside of Idaho. Kelcie Moseley-Morris

<https://idahocapitalsun.com/2023/02/07/new-bill-would-criminalize-trafficking-of-minors-to-receive-abortions-in-or-outside-of-idaho/>

**Seattle
Times**

Idaho becomes first state to restrict interstate travel for abortions. Ryan Suppe

<https://www.seattletimes.com/seattle-news/politics/idaho-becomes-first-state-to-restrict-interstate-travel-for-abortions/>

**Fox 5
Atlanta**

Idaho law could criminalize helping minors get abortions. Geoff Mulvill & John Hanna

<https://www.fox5atlanta.com/news/idaho-law-could-criminalize-helping-minors-get-abortions>

Time

Idaho's new law will punish anyone helping a minor access an out of state abortion with up to 5 years in prison. Solcyre Burga

<https://time.com/6269586/idaho-abortion-law-minor-access/>

**Seattle
Times**

Idaho abortion trafficking bill opens Pandora's box of questions for WA. Nina Shapiro

<https://www.seattletimes.com/seattle-news/idaho-abortion-trafficking-bill-opens-pandoras-box-of-questions-for-wa/>

**Idaho
Capital Sun**

Nation's first interstate abortion ban bill awaits idaho governor's signature. Kelcie Moseley-Morris

<https://idahocapitalsun.com/2023/03/30/nations-first-interstate-abortion-ban-bill-awaits-idaho-governors-signature/>

ABC news

Idaho bill would criminalize 'abortion trafficking' of minors traveling out of state. Nadine El-Bewab

<https://abcnews.go.com/US/idaho-bill-criminalize-abortion-trafficking-minors-traveling-state/story?id=98212215#:~:text=Interest%20Successfully%20Added%2CIdaho%20bill%20would%20criminalize%20abortion%20trafficking%20of%20minors%20traveling%20out,voted%20on%20by%20the%20Senate.&text=A%20new%20Idaho%20bill%20would,concealing%20it%20from%20their%20parents.>

**Idaho
Capital Sun**

Planned Parenthood vows legal action against idaho's abortion trafficking bill if passed. Kelcie Moseley-Morris

<https://idahocapitalsun.com/2023/03/29/planned-parenthood-vows-legal->

action-against-idahos-abortion-trafficking-bill-if-passed/

Idaho Capital Sun	Judge may rule soon on whether idaho's abortion trafficking law can be enforced. Kelcie Moseley-Morris https://idahocapitalsun.com/2023/09/14/judge-may-rule-soon-on-whether-idahos-abortion-trafficking-law-can-be-enforced/
NY mag, Intelligencer	Idaho finds a new way to criminalize abortion. Nia Prater https://nymag.com/intelligencer/2023/04/idaho-finds-a-new-way-to-criminalize-abortion.html
USA Today	First state law to criminalize 'abortion trafficking' may inspire others. Christine Vestal https://eu.usatoday.com/story/news/nation/2023/04/07/idaho-law-criminalizing-abortion-trafficking-inspires-other-states/11621952002/

Table 14: Montana articles used for research

Source	Article name, author, and weblink
Montana Free Press	How Montana's Lr-131 'Born Alive' referendum failed. Mara Silvers https://montanafreepress.org/2022/11/15/how-montanas-lr-131-born-alive-referendum-failed/
KFF Health News	5 Things to know About Montana's 'Born Alive' Ballot initiative. Matt Voltz https://kffhealthnews.org/news/article/montana-born-alive-ballot-initiative/
Montana Public Radio	The referendum on Montana's 'born alive' bill, explained. Olivia Weitz https://www.mtpr.org/montana-news/2022-10-18/montanas-born-alive-bill-explained
National Review	Why Montana Voters Rejected the 'Born Alive Infant protection act'. Wesley J Smith

<https://www.nationalreview.com/corner/why-montana-voters-rejected-the-born-alive-infant-protection-act/>

KTVH Helena Montana

Legislative Referendum 121: Explaining the 'Born alive infant protection act'. Ashely Nerbovig

<https://www.ktvh.com/news/legislative-referendum-131-explaining-the-born-alive-infant-protection-act>

Daily Montanan

Born alive'Act fails to gain support in Montana. Darrell Ehrlick and Keila Szpaller

<https://dailymontanan.com/2022/11/10/born-alive-act-fails-to-gain-support-in-montana/>

Q2 Montana's News Leader

"More harm than good": Billings doctors speak out against born alive ballot measure, LR-131. Jackie Coffin

<https://www.ktvq.com/news/montana-news/more-harm-than-good-billings-doctors-speak-out-against-born-alive-ballot-measure-lr-131>

KFYR TV

Montana voters to decide on 'born alive' abortion bill. Associated Press

<https://www.kfyrtv.com/2022/09/24/montana-voters-decide-born-alive-abortion-bill/>

Daily Inter Lake

Uncertainty over "born alive" bill stokes fears. Taylor Inman

<https://dailyinterlake.com/news/2022/nov/06/uncertainty-over-born-alive-bill-stokes-fears/>

The Hill

Montana voters to decide on 'born alive' abortion bill. Amy Beth Hanson, Associated Press

<https://thehill.com/homenews/ap/ap-health/ap-montana-voters-to-decide-on-born-alive-abortion-bill/>

NPR

Montana voters reject so called "born Alive" ballot measure. Olivia Weitz

<https://www.npr.org/2022/11/10/1134833151/montana-midterms-results-born-alive-abortion>

Fox News

Montana rejects ballot measure to require medical care for

'infants who are born alive. Aubrie Spady

<https://www.foxnews.com/politics/montana-rejects-ballot-measure-require-medical-care-infants-born-alive>

Sheridan Media

Born Alive Infant Protection Act Voted Down in Montana. Kevin Koile

<https://sheridanmedia.com/news/120438/born-alive-infant-protection-act-voted-down-in-montana/>

US news

Montana voters reject 'born alive' abortion referendum. Associated Press

<https://www.usnews.com/news/best-states/montana/articles/2022-11-10/montana-voters-reject-born-alive-abortion-referendum>

Helen air

Born-alive referendum voted down. Holly Michels

https://helenair.com/news/local/born-alive-referendum-voted-down/article_33ab7109-0e4e-550b-a120-5047c14a2999.html

FISM TV

Montana denies life-saving measures for babies born after botched abortion. Lauren C Moyle

<https://fism.tv/montana-denies-life-saving-measures-for-babies-born-after-botched-abortion/>

Time

Voters Rejected Montana's Anti-Abortion referendum. Here's what it means. Katie Reilly

<https://time.com/6232659/montana-abortion-referendum-fails-midterms-2022/>

Daily Wire

Montana voters reject measure requiring care for babies born alive. Brandon Frey

<https://www.dailywire.com/news/montana-voters-reject-measure-requiring-care-for-babies-born-alive>

Insider

Results: Montanans reject LR-131, which would've established a law that makes any infant born alive a legal person. Hanna Getahun & Morgan McFall-Johnsen

<https://www.businessinsider.com/results-montana-lr-131-infant-legal-person-2022-11?r=US&IR=T>

WBUR

Abortion is on the ballot in Montana. Voters will decide fate of the 'Born Alive' law. Olivia Weitz

<https://www.wbur.org/npr/1131427646/abortion-ballot-montana-voters-decide-born-alive-act>

Great Falls Tribune

LR-131 passage could cause 'exodus' of healthcare workers in Montana. Nicole Girten

<https://eu.greatfallstribune.com/story/news/2022/10/29/montana-born-alive-act-healthcare-workforce-election-voting/69600211007/>

Daily Montanan

Medical professionals, patients speak out against 'born alive' referendum. Nicole Girten

<https://dailymontanan.com/2022/09/21/medical-professionals-patients-speak-out-against-born-alive-referendum/>

US news

Montana voters to decide on 'born alive' abortion bill. Associated Press

<https://www.usnews.com/news/best-states/montana/articles/2022-11-10/montana-voters-reject-born-alive-abortion-referendum>

Montana Free Press

What does Montana's 'born-alive referendum have to do with abortion? Mara Silvers

<https://montanafreepress.org/2022/09/23/what-does-montanas-lr-131-have-to-do-with-abortion/>