



ABORTION

***Despite restrictions of the Georgia law,
an Atlanta woman can get a legal abortion
in a one-day visit to New York City***

By John Pennington

JUST about every morning of the year except Sundays, several women in the unwanted captivity of pregnancy take an early morning plane from Atlanta to New York City and return late the same day.

In the single day that they are out of the state, the women circumvent Georgia's restrictive law on abortions. They come home no longer pregnant.

The total cost, if the abortion is performed within the first 12 weeks of pregnancy, ranges from \$300 to \$400. This includes round trip airplane fare, transportation to and from airport/clinic/hospital, and the cost of food.

The number of women making the New York trip remains relatively constant, despite The Pill. A single agency in Atlanta sends from two to 12 a day. Many make their own arrangements and go alone. As a result of the easy availability of abortions in New York, several things have happened: local abortionists are losing their clientele and going out of business; homes for unwed mothers are hanging out vacancy signs instead of enlarging their facilities; and adop-

tion agencies generally report fewer white babies available for placement.

What has happened in New York should be of interest here if the Georgia Legislature decides to relax restrictions on abortions: the law of supply and demand created, almost overnight, clinics and "groups" to meet the needs of women flooding New York City by the thousands. (In the first full year that abortions were legal in New York, the total number done was 181,821. In Georgia, in the same time period, the number of legal abortions totalled about 700.) The proliferation of abortion clinics thus created a regulatory problem. Worse, the relaxed abortion law in New York created a climate in which professional "referral" agencies thrived; New York Attorney General Louis Lefkowitz challenged such agencies in court and called one of them—the now extinct Abortion Information Agency—"a broker in the sale of medical and hospital abortion services." The State Supreme Court ruled the AIA illegal, and referred to such agencies as exploiters of misery.

The New York abortion law was liberalized as of July 1, 1970. A year later the state legislature outlawed commercial referral agencies and fee splitting. Yet many such agencies continue to skirt the requirements of the law.

In the meantime, thousands of frightened, pregnant women had created the need for abortion services which operate in New York with the speed and efficiency of an assembly line. And the need was met.

I went to New York and spent a day observing and asking questions at an abortion clinic. Much was revealed in a single visit, in the course of which I talked with three Georgia women who were there as one-day patients.

ONE person involved in an abortion clinic talked with me candidly—though anonymously, for obvious reasons.

"The abortion facilities in this city are administered by people of a business mentality," he said. "The facilities are established primarily to make money. This doesn't mean they don't give good service. They do. But they cater primarily to the population that can pay and neglect those that can't. The rich and the middle class have abortions. The poor have babies. This is a big business, a million dollar business. I make a living in it, and if you print my name I'll be in Georgia looking for a job."

In Georgia, a pregnant woman wishing an abortion is confronted by considerable red tape and

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cost. To legally abort a pregnancy in the state she must have the approval of three physicians, and the approval of a three-man board at the hospital where the abortion would be performed. The six men must agree that birth of the child would constitute a hazard to the woman's mental or physical health. Abortions are permitted under two other circumstances—if the child of the pregnancy is likely to be malformed at birth, and if the pregnancy resulted from rape.

But in New York, there are no restrictions to aborting an adult pregnancy within the first 24 weeks.

The New York Legislature approved the present law by the margin of a single vote. That state has now had a year and a half of experience as the abortion capital of the United States.

UNDER the present law in New York, any woman 17 or older from anywhere—if she has the money—can set up an appointment by telephone one day, get an abortion the next, and be back home, back to work or back to school the following day. All she needs, in addition to the money and the time, is her own assent and the approval of the physician performing the procedure. If the pregnancy has occurred to one under 17, parental consent is needed.

The liberal New York law effectively thwarts anti-abortion laws in other states and creates, as my anonymous informant suggested, a multi-million dollar abortion business in New York City.

An Atlanta woman, for example, is but a two-hour airplane trip and a 30-minute taxi ride away from the friendly, legal abortionist.

How does she know this when the need arises?

An advertisement running in student newspapers at state colleges and universities asks, in bold print:

"Pregnant? Need Help?"

"Problem Pregnancy will provide totally confidential alternatives to your pregnancy. The medical facilities of accredited clinics and hospitals are accessible without delay." A telephone number is listed, with the promise that a counselor will be available 24 hours a day.

That's one way women find out about New York. Other agencies provide the information as well. Physicians are

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flooded with announcements from clinics and hospitals in New York which cater to non-resident women. Almost any doctor can have his secretary provide literature and telephone numbers.

Anyone can call these numbers and I telephoned several of them. The first calls began to point up a business-for-profit orientation.

One of the most impressive brochures was a portfolio from Abortion Information Agency, a referral agency operated by John Alden Settle Jr. Unaware that AIA had been declared illegal by the courts and agencies of its type outlawed by a recent session of the New York Legislature, I telephoned the number listed for it. The call was answered by a recording, a woman's voice, making a direct pitch for pregnant women to patronize Wickersham Women's Medical Center on East 58th Street where, the recording said, the safety record was good and prices were reasonable. The recording twice repeated a number for nonresident women to call.

THE Wickersham Women's Medical Center also was represented in my portfolio of brochures, so I telephoned and asked the woman who answered how a Georgia woman might arrange for an abortion. She explained that for a pregnancy under 10 weeks, a woman might call for an appointment the next day, have her pregnancy aborted and go home late that same afternoon. The procedure would be a "D & C"—dilation and curettage—and the cost would be \$250. If the pregnancy were 10 to 14 weeks, an overnight stay in the hospital would be necessary and the price would be \$350.

Should a pregnancy be further advanced than 14 weeks, the saline induction procedure would be used to induce labor, more time in the hospital would be required, and the cost would be correspondingly higher.

The woman also said non-resident women were expected to bring money and pay cash in advance.

The telephone calls prompted me to visit the Wickersham Women's Medical Center to see what is on the other end for Georgia women making the New York trip for abortions.

Again, the business-for-profit orientation was immediately evident. I found that the top administrative individual at the abortion clinic was John Alden Settle Jr.—whose now defunct Abortion Information Agency was referring all callers via recorded message to the Wickersham Women's Medical Center.

The New York attorney general's office said it is investigating alleged violations of the new law against the operation of commercial abortion referral agencies and against fee splitting by clinics and physicians. A spokesman said the AIA referrals to the Wickersham center are among those under investigation.

WHILE in New York, I telephoned another referral agency, Women's Referral Service, Inc. Again, I was unaware at the time that such agencies had been outlawed last summer. The woman who answered, ascertaining that I was from out of the state, assured me that a Georgia woman could call the agency for an appointment, be met at the airport on arrival in New York, achieve her goal in a single day, and fly back home that evening. The price? "The cost will be \$225," she said. "That's \$150 for the facility and \$75 for us."

Meanwhile, back at Wickersham, it soon became obvious to the curious visitor that the abortion clinic had admitting rooms on two separate levels of the building, and that those admitted on the third floor were paying \$100 more than those admitted on the sixth floor. A secretary explained that those admitted on third floor recuperated from the abortion procedure in a hospital bed, for which the day rate was \$100, while those admitted on the sixth floor were largely indigents who recuperated in a clinic recovery room. In either case, the patients arrived in the morning pregnant and left in the afternoon free of pregnancy.

John Alden Settle Jr., was not available for interview concerning the clinic's operation and a public relations representative declined to answer further questions after I asked about the recorded referrals of Settle's now defunct AIA to the Wickersham center.

His reluctance was understandable later after I had reviewed New York Times articles about the Abortion Information Agency.

Settle's referral agency had been among the first sought out by Attorney General Lefkowitz, who suggested that many of them were charging exorbitant fees and accepting kickbacks from clinics to whom patients were sent. He charged specifically that AIA was operating an "abortion bonanza," with a "mass merchandising, assembly line type of operation."

LAST May the New York Supreme Court ruled AIA illegal and in June the State Assembly approved a new law prohibiting the operation of commercial abortion referral agencies.

Last February a New York legislative committee held a

one of the more expensive private facilities where there is no delay. The private facilities are numerous; "the city is full of them," one referral agency spokesman said.

It is to the private clinics and hospitals that nonresident women flock by the thousands from all over the eastern part of the United States for quick, confidential abortions. At the beginning prices were somewhat higher. "But competition has sort of leveled things off," the agency spokesman said.

At the Wickersham center on the day of my visit, about 20 women from probably a dozen states were filling abortion appointments. Of these, eight reported to the third floor admissions room, the remainder to the sixth floor. Two of the eight were 17-year-old girls accompanied by their mothers. One was a frightened young girl who was

Abortion has been made an economic question by the New York law

public hearing on abortion problems and one of the witnesses appearing before that body was Dr. Howard B. Weitzner, who testified that he had set up a referral agency to steer patients to a certain hospital, and that the agency paid him a consultation fee of \$24,000 a year.

Other instances of cooperation between referral agencies and abortion clinics and hospitals came to light in the attorney general's investigation. More than one such agency was put out of business by the courts before the law was passed making them illegal.

The "assembly line" description of Attorney General Lefkowitz seems to fit the operation of numerous abortion clinics in New York, and some of the women I talked with who had been through one of them felt the same way. Pregnant women who live in New York have found the public hospitals so crowded that most were put on a waiting list for abortion. The alternative was to go to

alone. Another woman, accompanied by her husband, appeared in her late 30s or early 40s. Most appeared to be in their 20s.

One of the Wickersham center's social workers who counsels girls and women who come for abortions said anxiety and a feeling of guilt are common among them. "But most don't have any anxiety after the fact," she said. "Once they achieve the abortion they feel better, because they really didn't want to be pregnant."

FROM Atlanta, an organization called Problem Pregnancy — the one that advertises in college newspapers — sends many pregnant women to New York abortion clinics.

Carl Foster, manager of the Atlanta office, said the organization operates here on a non-profit basis, although its offices in seven other cities charge a referral fee. The other offices are able to charge because they send pa-

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Most abortions are gotten by young, unmarried women

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tients to California, where there is no law against commercial referrals, he said.

Foster said Problem Pregnancy schedules groups of women to travel together to New York from Atlanta six days a week. The group averages two to seven on weekdays, he said, and perhaps a dozen on Saturdays when it's easier for students and working women to be away. The group is met daily in New York by a representative of whatever clinic is performing the abortions.

The cost to Atlanta and Georgia women leaving from Atlanta, when scheduled by Problem Pregnancy, is \$185 for the procedure, plus airplane fare, plus a recommended \$20 spending money. The price of a round trip plane ticket ranges from \$94 to \$110, so that the total price for a New York abortion for an Atlanta woman is approximately \$300 — if it is accomplished within the first 12 weeks of pregnancy.

Other agencies in Atlanta also are involved in helping pregnant women to find alternatives to their condition, so that it becomes a reasonably simple matter for women who can afford a New York abortion to plan a course of action.

Moral and philosophical considerations aside, the liberal New York law, from a practical standpoint, has invalidated the more restrictive Georgia law for those who can come up with \$300 or so.

IN sum, to abort or not abort a Georgia pregnancy has been made an economic as well as a moral question for the concerned woman.

According to an "abortion surveillance report" published by the Center for Disease Control, four states in 1970 adopted a new kind of law which places no restriction on the reasons why an abortion may be legally obtained. The four are Hawaii (the first to pass this kind of law), Alaska, New York and the state of Washington. A public referendum approved the law in Washington.

Of the four, New York is the only state with no residency requirements. In Hawaii and Washington, abortions may be performed only on women who have been legal residents for at least 90 days. In Alaska, the residency requirement is 30 days.

New York also is the only one of the four states where abortions are permitted as late as the 24th week of pregnancy. The others permit abortions "prior to viability of the fetus," or within the first 16 weeks.

The CDC report reveals that more than 180,000 legal abortions were reported by 19 states and the District

of Columbia for calendar year 1970. This number was considerably higher in 1971, because the four states without restrictions have had their first full year of experience under liberalized laws.

In New York alone in the first 12 months of the liberalized law more legal abortions were reported than throughout the entire United States in 1970. More than half of New York's abortions involved nonresident women.

The New York law is not universally accepted. Persistent efforts are being made to repeal it or to shorten the period of gestation during which pregnancies might be aborted.

EARLY in January a state judge granted a preliminary injunction against abortions in New York City's municipal hospitals, casting a new legal cloud over the law. A Fordham University law professor had brought suit challenging constitutionality of the state's laws. He argued that "a whole class of human beings was being deprived of life and equal protection of the law." The injunction did not affect abortions being performed in private institutions, a situation that prompted Mayor John Lindsay to order an appeal of the decision. "It would be tragic," Mayor Lindsay said, "if, as a consequence of any court decision, abortions are available only to those who can afford to pay for them in voluntary and proprietary hospitals."

Georgia reported only 705 legal abortions in 1970, yet far more than this number from the state have obtained legal abortions in New York in the past year.

Of all abortions reported to CDC, most were obtained by women in the 15 to 24 age group. Two-thirds involved unmarried women.

Georgia's law on abortions, based on the American Law Institute Model Penal Code, is presently under court attack and no doubt will be put under some pressure during the 1972 session of the Legislature. The student senate at the University of Georgia has adopted a resolution recommending that the legislature repeal "restrictive" abortion laws.

The question always evokes emotional, moral and religious arguments against abortion, and equally emotional arguments on the other side for the woman's right to determine what happens to her body.

In the meantime, abortion clinics abound in New York — they exist essentially for nonresident women — and if a pregnant woman has \$300 in cash and a day's freedom to travel, for her the Georgia law doesn't mean a thing.