

Tennessee law criminalizing drug use in pregnancy doesn't consider risk and genetics

Given the link between alcohol consumption during pregnancy and birth defects, should expectant mothers who drink be arrested for assault? If not, it is hard to see why Mallory Loyola was.

Loyola, who was arrested last week after giving birth to a baby girl who tested positive for amphetamine, is the first person to be charged under a new Tennessee law that criminalizes drug consumption by pregnant women. The law, ostensibly aimed at protecting children, is really about punishing what a chief sponsor described as “the worst of the worst”: women who not only consume arbitrarily proscribed intoxicants but do so at a time when they are supposed to be thinking only of their future babies.

Because of the well-established connection between heavy drinking and birth defects, doctors in the United States (though not in other countries) generally recommend that pregnant women err on the side of caution by abstaining completely from alcohol. Yet while an expectant mother who drinks a glass of wine in public might attract glares from busybodies, she probably will not attract attention from the police.

By contrast, there is no clear link between the drug Loyola consumed and birth defects in humans. According to the American College of Obstetrics and Gynecology, there “is no syndrome or disorder that can specifically be identified for babies who were exposed in utero to methamphetamine.”

Read the full, original story: [Should expectant moms who test positive for drugs go to jail?](#)