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Mother delivers healthy baby and lawsuit after unsuccessful abortion

Shocked to learn she was still pregnant following Akron procedure, mother decides to risk her life to give birth. Malpractice lawsuit filed

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Inside an Akron abortion clinic was not where Ariel Knights wanted to be.

But after much anguish, she found herself walking through those clinic doors, joining a sea of women filling dozens of chairs stacking the waiting room.

“Every seat was full. People were standing,” she said. “It was pretty much like a slaughterhouse; it was like OK, next, next.”

When her name was called that March morning a year ago, she walked into a cramped room and climbed onto a table, positioning her lower body above a trash bag. When the doctor finished, Knights, still woozy from being sedated, was handed her things and shown the door.

Looking back on that day, Knights, the mother of a preschool-age son, said she did what she felt needed to be done to protect herself and her family. Afflicted with uterus didelphys, going through with this new pregnancy could put the 22-year-old woman’s life at risk, doctors told her.

“It was a decision I made because my life was in danger,” she said. “I was put in jeopardy. And I have a son that I am supposed to be taking care of.”

A week after the clinic visit, Knights found herself in an ER where she would hear the news: She was still pregnant. About seven months later, she gave birth to a healthy 6-pound girl.

Knights doesn’t know what happened during the abortion procedure performed at the Akron Women’s Medical Group. She’s hoping for an answer as her malpractice lawsuit against the clinic makes its way through Summit County Common Pleas Court.

She is seeking unspecified damages for pain and suffering and emotional distress. The lawsuit was filed March 4 and has been assigned to Judge Amy Corrigan Jones.

Carol Westfall, the clinic's director, declined comment when contacted by phone this week.

Jim Gutbrod, an Akron attorney representing Knights, said the lawsuit is a malpractice claim that alleges the clinic and its doctor deviated from acceptable standard care. At the same time, Gutbrod, who is opposed to abortions for any reason, said he hopes the lawsuit serves as the impetus for change.

"From Ariel's description, you can see how poorly the clinic is run and how different it is from any other medical procedure that's done in our country," he said. "The way they do things is horrendous."

Genetic condition

Knights, who is engaged to be married and works as a dental lab technician, said she learned she had uterine didelphys during the pregnancy of her son. The genetic condition results in a double uterus with individual cervixes.

She said her son was carried in the left uterus, which was healthy enough to carry the fetus to a near full-term pregnancy without complications and a C-section birth.

In her second pregnancy, an exam in early February 2012 showed the fetus was located in the right uterus, which her doctor told her was unstable and put her pregnancy and her life at risk. She had little choice, she said, but to opt for an abortion.

"It was a decision made because my life was in jeopardy. End of story. Point blank, that's it," she said.

After leaving the abortion clinic in Akron, Knights thought her pregnancy was over. She is still unsure how or why the abortion failed. An ultrasound was performed twice before the procedure. She is unsure if one was done afterward.

She is also unsure why the abortion clinic doctor believed the procedure was complete and what, if anything, was removed from her body.

"[The doctor] said, 'All right, everything's good and clear, everything went well,'" she recalled.

Days afterward, however, she said she was constantly ill and in pain. After about a week that included a visit to her family doctor, she went to an ER, where she was seen by an obstetric triage doctor.

An internal ultrasound was performed.

“And the look on [the doctor’s] face when he found out, he was like, ‘Oh my goodness, honey, you’re still pregnant,’ ” she said. “My fiance and I, we both were kind of in shock.”

She contacted the Akron abortion clinic and was told she could visit their Cleveland-area office. She declined.

Instead, she contacted another abortion clinic, which told her, according to the lawsuit, it would not treat her for “somebody else’s mistake.”

It was then, she said, that she and her fiance decided to forge ahead with the pregnancy. What followed were multiple trips to the ER, four hospital admissions that lasted three to five days, and biweekly visits with a doctor who specializes in high-risk pregnancies. The visits always included an ultrasound exam, she said.

The concern, she said, was that the weakened uterus carrying her child would fail. The fear never left her during her pregnancy.

“I can’t explain how I felt. It was just a sense of being overwhelmed, wondering what happened to the baby, wondering what’s happening to me and what did [the clinic] think they did,” she said. “It was just constant stress.”

Birth of daughter

On Sept. 20, she gave birth to her daughter. Again, a C-section was performed to deliver her child, a 6-pound, 20-inch girl. Although the child was in neonatal intensive care for breathing problems, the baby is now healthy.

Knights, who said her medical condition makes her pro-choice in the abortion debate, hopes her lawsuit will prompt better treatment for other women seeking the procedure.

In the meantime, she said she is blessed with a beautiful child she considers her “miracle baby.”

The irony of the failed abortion, however, is not lost.

“That’s a sore subject to think about,” she said as she became visibly emotional. “I mean, it’s just hard, thinking she’s here and thinking, if they would have done their job. ... It’s just something I don’t like to think about.”

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