

MATTERS OF LIFE AND DEATH

Women forced to have abortions?

Expectant mother who screamed 'stop' will petition Supreme Court

Published: 03/09/2004 at 1:00 AM

Original article found online at: <http://www.wnd.com/2004/03/23633/>

Responding to a recent ruling allowing forced abortions, a former judge is petitioning the U.S. Supreme Court to acknowledge a woman's "right to say no."

An appeals court ruled earlier this year an expectant mother can be aborted by force if the physician argues it is necessary to "protect the health of the mother."

But pro-life attorney Chris Sapp is prepared to challenge the 11th Circuit Court of Appeals ruling Jan. 23 in *Roe II v. Aware Women Center for Choice, Inc.*, says the Virginia-based [Population Research Institute](#). PRI is "dedicated to ending human rights abuses committed in the name of 'family planning,' and to ending counter-productive social and economic paradigms premised on the myth of 'overpopulation.'"

Sapp is asking the U.S. Supreme Court for a writ of certiorari acknowledging a woman's right to say "no" to an abortion at any point in time.

His argument is based on the Freedom of Access to Clinic Entrances, or FACE Act, which makes violation of a woman's right to receive reproductive health care a federal crime.

If a woman had a right to enter a clinic to get an abortion, Sapp contended, she also has a right to leave a clinic in order to protect herself and her baby.

'My God, you're hurting me'

The *Roe II* case began March 29, 1997, when a young, pregnant mother entered the Aware Women Center for Choice clinic in Florida to get an abortion.

According to RPI, **William P. Eggherman**, who has performed more than 10,000 abortions and been addicted to alcohol and opiates, began the procedure by attempting to dilate the woman's cervix.

But the woman had a change of heart.

"My God, you're hurting me" the woman began to scream. "You're killing me, I'll never be able to have babies. ... Stop!"

But Eggherman ignored the pleas and screams and called for assistance from clinic workers who held the woman down as he continued to dilate her cervix.

Then he entered the victim with a pair of forceps — "the bear" Eggherman called them — and began probing and pulling. He mistakenly pulled out part of the woman's intestines.

Sapp, who represented the woman, said she described it as like being drawn and quartered.

When he realized what he had done, Eggherman heavily sedated the woman then he called for an ambulance.

But he instructed the ambulance to come slowly, without lights or sirens, to give him "time to pack the woman with gauze."

Eggherman said he also was worried his regular flow of business would be interrupted by "all the hoopla."

"Saturday's our big day," he explained, "and I didn't want to generate ... any more confusion, any more panic than was already present at the time. She was loud, and as I said, she was shrill, and there were a lot of patients who were hearing what was going on, and the normal rhythm of the day was interrupted. The other patients must have been terrified, and I didn't want the ambulance showing up with all the lights and sirens. ..."

The woman underwent an operation at the hospital and the damage to her internal organs was repaired. But her baby was dead.

The matter would have ended at that point if not for Sapp's federal suit, arguing Eggherman had violated the FACE Act.

Sapp argued forcing the abortion procedure and preventing the woman from going immediately to a hospital where her pregnancy could have been saved violated her reproductive rights.

Eggherman's defense attorneys maintained "if he had to go back in" in order to protect the woman's health, then this would not constitute a violation of the FACE Act.

On a summary judgment, the appeals court agreed, but Sapp asserts the evidence shows the abortion had just begun when the woman called for Eggherman to stop and that he went “back in” to perform the abortion against her will.

“This ruling does establish a precedent for forced abortion,” Sapp said.

For example, he said, an expectant mother receiving a routine gynecological exam could be held down and forcibly aborted. The physician would simply have to argue the abortion was necessary to protect the mother’s health or life, which would not violate the FACE Act.

Boyfriend ‘already paid for it’

PRI said it has learned of another case of forced abortion. A 25-year-old Maryland woman, four months pregnant, changed her mind after being taken to the procedure room.

She ran back to the clinic entrance where her boyfriend stopped her. The boyfriend said she must get an abortion, “I’ve already paid for it.”

Three clinic workers and the abortion performers surrounded the woman, sedated her by injection, then took her back into the procedure room. After the forced abortion, she awoke in a closet.

Read more at <http://www.wnd.com/2004/03/23633/#cSt83EozL3GMITTZO.99>