

# Records: Aborted fetus transported to hospital February was not viable

Garrett Mitchell, The Republic | [azcentral.com](http://www.azcentral.com) 9:19 p.m. MST April 21, 2016



(Photo: azcentral)

A Phoenix police investigation into what was reported as a fetus that had, at least temporarily, a heartbeat, concluded the fetus never had been viable and that appropriate procedures were followed.

Police did not recommend any action.

The report about the Feb. 26 procedure was released Thursday. No charges were filed and the investigation was closed, according to Sgt. Trent Crump, a Phoenix police spokesman.

Dozens of anti-abortion advocates [held a prayer vigil](http://www.azcentral.com/story/news/local/phoenix/2016/04/21/says-baby-chava-survived-abortion/81047400/) for the fetus after the medical call was made.

The police report indicated that the fetus, believed to be approximately 21 weeks old, had no signs of heart tones at the time it was removed from the patient's womb.

The incident was called in by medical staff at the central Phoenix office of Family Planning Associates [after a nurse reported](http://www.azcentral.com/story/news/local/phoenix/2016/02/29/phoenix-police-investigating-reports-fetus-survived-abortion/81127498/) as it was being removed, minutes after it had been removed from the patient's womb.

Phoenix fire personnel responded to the call and transported the fetus to the Banner-University Medical Center, where it was held until it was transported to the Banner-Phoenix Children's Hospital.

Police records state the fetus possibly may have moved as a reaction to the cold metal of the scale.

Dr. Eleanor Stanley, who performed the abortion, told investigators the fetus' lungs were not developed enough to oxygenate the blood. Phoenix Fire Department corroborated the statement, telling investigators the fetus had no heart tones or breathing as it was removed, records said.

Investigators wrote that the on-scene medic described the fetus as "purple in color, not breathing or moving, and described the fetus as not viable and feeling cold through the latex gloves he wore during treatment."

Arizona law allows abortions to be performed before a fetus would be able to survive on its own outside the womb, generally 22-24 weeks into pregnancy.

The 27-year-old patient has had five children. She told authorities she first visited the office Feb. 24 for a preliminary appointment and paperwork and was advised about procedures. During the course of an ultrasound, the patient was informed by the doctor that the fetus was not viable.

She was given medication the next day to induce miscarriage. Stanley told investigators the fetal heartbeat had stopped at the time of the procedure, and there was no fetal heartbeat immediately before the operation, she said.

The operation proceeded on Feb. 26 and Stanley reiterated the fetus showed no signs of life. She attributed the incident to poor timing of the chest and heart tone.

She told investigators she had to call 911 after the staff member said, "Oh my God, this fetus is moving."

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Stanley did not return a phone call from *The Republic* on Thursday.

An autopsy was not performed. The Maricopa County Medical Examiner's Office declined to examine the fetus because its d  
circumstances, the report said.

Rumors circulated among anti-abortion advocates about reports on emergency response radio lines of a fetus that had been  
abortion operation. They believed the fetus was being cared for at Banner-University Medical Center and organized a prayer  
(/story/news/local/phoenix/2016/02/27/arizona-group-says-baby-chava-survived-abortion/81047400/) the night of Feb. 29. Mc  
attended the vigil, carrying signs and rosaries to honor "Baby Chava," a Hebrew word meaning life.

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The advertisement banner features the 'Homes by Towne' logo on the left, which includes a house icon. To the right of the logo, the text 'NEW HOMES' is prominently displayed in a bold, sans-serif font. Below this, the locations 'Surprise | Scottsdale' and 'Cave Creek | Phoenix' are listed in a smaller font. On the far right, the phrase 'FIND YOUR COM' is partially visible. The background of the banner shows a scenic view of a residential area with a body of water and trees.