



Abortion Practitioners Face Hearings in Texas, Broke Laws

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Two abortion practitioners in Texas face hearings on complaints a pro-life group filed with state officials after undercover investigations it conducted showed them violating state abortion laws.

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Franz Theard and Douglas Karpen have been scheduled to face hearings conducted by the Texas medical board on May 16. Theard is accused of coaching minor girls to cross state lines to avoid Texas parental notification laws and with illegally disposing of the remains of babies victimized by abortions. Karpen is accused of violating the state's informed consent laws and has a history of violating such laws in the past.

(<https://lifenews-wpengine.netdna-ssl.com/wp-content/uploads/2011/11/texas9.jpg>) Operation Rescue filed the complaints and said today that a third abortion practitioner, H. Brook Randal, will likely face a hearing as well but a date has not been set.



“The fact that these hearings are being deferred months into the future shows that the charges against them are being taken very seriously,” said Operation Rescue President Troy Newman. “We are happy that the Board is pursuing these cases, but of course we wish things were moving a little quicker.”

In total, 10 abortion practitioners could find themselves in front of the state medical board based on the complaints from the undercover probe showing their shoddy and potentially illegal practices.

Three abortionists, Robert Hanson, Alan Molson, and William W. West, Jr., already faced hearings on October 28 and Newman appeared before the Board at that time and gave a witness statement against each. He said the results of that hearing will likely be available in February. Hearings against an additional four abortion practitioners — Pedro J. Kowalyszyn, Sherwood C. Lynn, Margaret Kini, and Robert L. Prince — were delayed from their original October date and have not yet been reset.

Operation Rescue and The Survivors conducted a three-month undercover investigation of numerous Texas abortion clinics from December, 2010, through February, 2011. The research teams discovered abuses at every abortion clinic they investigated and Operation Rescue then filed complaints with the appropriate governmental oversight agencies. The complaints have netted \$83,000 in fines against two abortion clinics and the waste disposal company Stericycle for the illegal disposal of aborted baby remains.

“The fact that ten abortionists face discipline (<https://www.lifenews.com/2011/08/24/tenth-texas-abortion-practitioner-under-state-investigation/>) and three businesses have been heavily fined substantiates our claims that America’s abortion clinics routinely operate outside the law. Our investigations touched on randomly selected abortion clinics, but there is no doubt that similar or worse abuses could be discovered if every American abortion clinic was investigated,” said Newman. “We pray these cases in Texas will send a strong message to abortionists everywhere that they are not above the law and that sooner or later, they will be brought to justice.”

Theard is an El Paso abortion practitioner who also runs an abortion center just over the state border in New Mexico. Operation Rescue recorded one of Theard’s employees coaching a caller who claimed to be a minor seeking an abortion, to cross state lines ([./2011/08/10/2011/03/02/calls-show-abortion-centers-hiding-statutory-rape-skirting-law/](https://www.lifenews.com/2011/08/10/2011/03/02/calls-show-abortion-centers-hiding-statutory-rape-skirting-law/)) to avoid having to comply with the Texas parental notification law.

The caller posed as a 17-year old minor who wanted an abortion and the receptionist quickly scheduled an abortion for her for the following Saturday at 9:00 am and told her to bring an I.D. and \$460. Then the abortion center staff helps the caller evade Texas law.

Caller: Can I get a note for the doctor? Um...

Lupa: Why?

Caller: For school?

Lupa: [Unintelligible]—school?

Caller: ‘Cuz I’m still in high school.

Lupa: How old are you?

Caller: Seventeen.

Lupa: If you’re 17, your parent needs to come with you.

Caller: Oh, uh, I don't want the-

Lupa: Do they know you're pregnant?

Caller: No. No.

Lupa: We have another clinic. It's in Sunland Park in Santa Teresa-

Caller: Santa Theresa where?

Lupa: Uh-huh. There you don't need an appointment and you don't need your parents. You could go on Tuesday.

Caller: On Tuesday? Oh.

Lupa: Yes, and it will be at 1:30.

Caller: 1:30? With the same doctor?

Lupa: Yes, ma'am.

Caller: Okay. So on Tuesday, in Santa Teresa I can go-?

Lupa: -address?

Caller: I need the address.

Lupa: It's 5290 McNutt Road.

Lupa then assures the caller that she will see Dr. Theard and that she does not need to tell her parents.

"Santa Teresa is a community across state lines from El Paso in New Mexico, where abortion laws are essentially non-existent," Operation Rescue president Troy Newman says. "It has become obvious that Theard keeps this clinic open for the purpose of circumventing Texas abortion laws that require minors must have the consent of their parents before abortions can be done."

"If encouraging a minor to cross state lines to evade the laws of her home state isn't illegal, it ought to be," said Newman. "Those laws were enacted to protect young girls and to protect the integrity of the family and parental rights. Theard is openly defying the intent of the Texas legislature and trampling the rights of parents while profiting off the vulnerability of their underage daughters. It's really quite despicable."

The people involved in the undercover investigation also discovered the remains ([./2011/04/22/body-of-baby-victimized-in-abortion-found-in-clinic-parking-lot/](https://www.lifenews.com/2011/04/22/body-of-baby-victimized-in-abortion-found-in-clinic-parking-lot/)) of unborn children victimized by abortions left in the parking lot outside Theard's El Paso abortion clinic earlier this year. That incident was also reported to the Medical Board by Operation Rescue.

“Theard and the other abortionists have played fast and loose with the law for far too long. Their actions have endangered women, created public health hazards, and misled young women into having preventable abortions,” said OR president Troy Newman. “We look forward to seeing them held accountable to the law.”

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