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Abortion Clinic Last Inspected In 1993 DA: 'Thousands' Of Babies Likely Met Demise There

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Associated Press

PHILADELPHIA (AP) — A filthy abortion mill where prosecutors say babies were delivered alive and killed with scissors would have been shut down long ago if not for extraordinary failures by state regulators, who had not inspected it since 1993, a grand jury report charges.

Dr. Kermit Gosnell, 69, a family practice physician with no certification in gynecology or obstetrics, was arraigned Thursday on eight counts of murder in the deaths of seven babies and one patient. Nine employees also were arraigned, including four with murder.

Gosnell, wearing a green dress shirt, asked in court that seven of the murder charges be explained and raised his eyebrows as Magistrate Jane Rice detailed the allegations of the baby deaths.

In its report, the grand jury said failures of the Pennsylvania Department of Health and other agencies allowed Gosnell's "house of horrors" to persist for decades, with baby body parts on the shelves and clogging the plumbing, a 15-year-old high school student performing intravenous anesthesia, and Gosnell's wife, a cosmetologist, performing late-term procedures.

"Had state and local officials performed their duties properly, Gosnell's clinic would have been shut down decades ago," the grand jury wrote. "If inspectors had looked solely for violations of Pennsylvania's abortion

regulations, there would have been ample grounds to revoke the approval of Gosnell's clinic as an abortion provider — as was demonstrated when DOH inspectors finally entered the facility in February 2010."

Complaints about Gosnell to state regulators went nowhere, even though 46 lawsuits had been filed against him. State officials, who arrived to testify with lawyers in tow, "enraged" the grand jury, Philadelphia District Attorney Seth Williams said. Williams said he was "disgusted" by the lack of oversight but could find no criminal charges with which to charge them, in part because of the time that had elapsed.

State officials, including at the Health Department, have not commented despite repeated requests.

Williams accused state officials of neglecting the safety of abortion seekers not by accident, but "by design."

"State officials knew that Gosnell and his clinic were offering unacceptable medical care to women and girls, yet DOH failed to take any action to stop the atrocities documented by this Grand Jury," the report said.

Lawyer William J. Brennan, who represented Gosnell during the investigation, noted that the doctor served patients in a low-income city neighborhood for decades.

"Obviously, these allegations are very, very serious," Brennan said.

The state health department first gave the "Women's Medical Society" a one-year license when it opened in 1979, when a certified obstetrician/gynecologist and nurses were listed as employees. The state approval expired in 1980, but the next site review did not come until 1989.

By then, Gosnell was the only doctor on site, and the clinic had no nurses and no outside lab work being done. Promises were made to improve the failings, and the state renewed its approval. In 1992, a visit showed there were still no nurses or ob-gyn, and nothing suggests the state inspectors checked any patient files. The inspectors left blank the sections on who was providing anesthesia and post-operative care. They they concluded there were "no deficiencies."

The final inspection came in April 1993, four years after Gosnell had promised to hire nurses. There were none. The state cited Gosnell for expired medications and missing lab work but said they had been remedied — though there was no follow-up inspection — three months later.

The state's reluctance to investigate, under several administrations, may stem partly from the sensitivity of the abortion debate, Williams said. Nonetheless, he called Gosnell's case a clear case of murder.

"Pennsylvania is not a third-world country. There were several oversight agencies that stumbled upon and should have shut down Kermit Gosnell long ago."

But none of them did, even after the death of a 41-year-old mother of three in 2009, city prosecutors charged.

Williams accused state health officials of "utter disregard" for Gosnell's patients, who were mostly poor minority women such as Karnamaya Mongar, who died at the clinic after being given to much Demerol and other drugs in November 2009, prosecutors said.

Early last year, authorities raided Gosnell's clinic in search of controlled drug violations, but instead stumbled upon a stench-filled clinic with bags and bottles of aborted fetuses scattered throughout the building.

Gosnell also kept jars of severed feet on his shelves, Williams said. Gosnell also had a taste for macabre jokes, once muttering that a nearly six-pound baby born alive to a 17-year-old who was 7 1/2 months pregnant could "walk me to the bus stop," the report said.

Under Pennsylvania law, abortions are illegal after 24 weeks of pregnancy, or just under six months, and most doctors won't perform them after 20 weeks because of the risks, prosecutors said.

In a typical late-term abortion, the fetus is dismembered in the uterus and then removed in pieces. That is more common than the procedure opponents call "partial-birth abortion," in which the fetus is partially extracted before being destroyed.

Gosnell typically worked weeknights, arriving hours after **his unskilled staff administered anesthesia and drugs to induce labor**. He then "forced the live birth of viable babies in the sixth, seventh, eighth month of pregnancy and then killed those babies by cutting into the back of the neck with scissors and severing their spinal cord," Williams said.

In addition to the Mongar and another woman who died, scores more were injured from perforated bowels, cervixes and uteruses, authorities said.

Women came from across the city, state and mid-Atlantic region for the illegal late-term procedures, authorities said. He didn't advertise, but word got around. They paid \$325 for first-trimester abortions and \$1,600 to \$3,000 for abortions up to 30 weeks. The clinic took in up to \$15,000 a day, authorities said.

White women from the suburbs were ushered into a separate, slightly cleaner area because Gosnell believed they were more likely to file complaints, Williams said.

Few if any of the unconscious patients knew their babies had been born alive and then killed, prosecutors said. Many were first-time mothers who were told they were 24 weeks pregnant, even if they were much further along, authorities said.

The grand jury spent a year investigating Gosnell's practice. According to the report, **Gosnell had no nurses on hand to monitor the women's medication or recovery, no hospital on standby for emergencies and few if any medical records because Gosnell destroyed them. His staff testified about "scores of gruesome killings" of infants born alive.**

"These killings became so routine that no one could put an exact number on them," the grand jury report said.

Authorities charged that Gosnell **deliberately hired unqualified staff** so he could pay them low wages. He sent his six children to private schools — one is now a doctor and another a professor — and has a beach house at the New Jersey shore, prosecutors said.

Gosnell was denied bail, and his next court appearance was set for February.

Bail was also denied for four other defendants charged with murder: Lynda Williams, Sherry West, Adrienne Moton and Steven Massof. Other charges against clinic employees include conspiracy and drug counts.

Gosnell's wife, Pearl, was ordered held on \$1 million bail; she is accused of conspiracy and performing extremely late-term procedures on Sundays when the clinic was otherwise closed.

Williams, a Democrat, released the report a day after Republican Gov. Tom Corbett succeeded Gov. Ed Rendell, a Democrat. Spokesman Kevin Harley pledged Corbett's administration would do more to oversee such clinics.

Gosnell earned his medical degree from Thomas Jefferson University in Philadelphia and is board certified in family practice. He started, but did not finish, a residency in obstetrics-gynecology, authorities said.

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