



CORONAVIRUS

Commissioner seeks to add abortion shutdown to Sedgwick County coronavirus response

BY DION LEFLER

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Dr. Garold Minns, Sedgwick County's chief public health officer, announces a stay-at-home order that he signed on Tuesday, March 24, 2020, to combat the spread of coronavirus. BY **TRAVIS HEYING**

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A Sedgwick County commissioner says he will ask his colleagues this week to recommend temporarily closing a Wichita clinic that provides abortion services, as part of the county's response to the coronavirus COVID-19 pandemic.

Commissioner Michael O'Donnell said he will ask the commission to shutter the [Trust Women Wichita Clinic](#) at Wednesday's meeting, the first regular meeting since COVID-19 surfaced in the county March 19.

O'Donnell said he wants to strip abortion clinics from the list of "essential" businesses that can stay open during county and statewide stay-at-home orders designed to slow the spread of the coronavirus.

He said his proposal is modeled on an action taken Friday by Oklahoma Gov. Kevin Stitt, a Republican, who issued an executive stay-at-home order banning abortions except in cases of emergency or serious health risk to the pregnant woman.

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"You can't get an elective surgery in the city of Wichita currently," O'Donnell said. "The major hospitals have shut down elective surgery, so you know, my grandma couldn't go get a hip replacement. They'd be putting her off for that, but heck, if you want to go have an abortion, you can have an abortion. It's insane to me."

O'Donnell said since Stitt's order, women who would ordinarily receive their abortions at Trust Women's Oklahoma City Clinic are now coming to Wichita for them.

"I got pictures of cars from Oklahoma that were in the parking lot this weekend," O'Donnell said. "It's definitely concerning. If we are issuing these stay-at-home orders, abortions should not be considered essential right now."

“We are in unprecedented times. We are trying to prevent community spread. We should not be having women, and men, travel from other states, potentially bringing the coronavirus into Wichita.”

O'Donnell's actions are being called “unethical” and “unconscionable,” by Julie Burkhart, founder and CEO of the Trust Women clinic, which replaced the practice of abortion provider Dr. George Tiller after he was shot to death by an anti-abortion activist in 2009.

“This is nothing more than a political tool they are using in order to shut down abortion,” Burkhart said. “This has nothing to do with caring for people and ensuring that they and their families are not infected with COVID-19.”

Burkhart said Oklahoma and Texas orders were the wrong response to COVID-19 because they are making women travel long distances for abortion services.

“What it has done is it has forced women and their families onto the road in a time when they should be sheltering in place (and going out) only for grocery shopping and medical care — essential medical care is also abortion care,” she said.

Any similar order in Kansas would just make things worse, she said.

“So what this says to women in Kansas is: ‘We don’t value your lives. If you need access to an abortion, maybe you drive to Colorado, maybe you drive to New Mexico. And we’re going to put you and your family in harm’s way in order to access this essential health care,’” Burkhart said.

Burkhart said the clinic is seeing “more patients calling who are scared, who are frantic, who want to have abortion services at this time,” and the coronavirus pandemic “does not mean that women will stop needing abortion care.”

Lacey Cruse, the commission’s only woman and only Democrat, said she opposes taking action against the clinic.

“We’re in the middle of a global health pandemic and now is not the time for people to bring up political hot-button topics,” Cruse said. “It’s not time to rally a (political) base, it’s time to rally a community to do the right thing.

“We’re trying to help our hospital system get the equipment they need. We’re trying to make sure we help a community get through this by coming together.”

The issue arose March 20 when Mark Gietzen, leader of the Kansas Coalition for Life, called 911 and reported that he believed a California doctor had traveled to Wichita to perform abortions at Trust Women.

Gietzen, who organizes the daily protests outside the clinic, contended that because California was a hot spot for the virus, the physician may have been exposed to it there.

An Eagle reporter was on a speaker phone with Gietzen when a police officer arrived to follow up on the call and heard the resulting conversation.

The officer told Gietzen the clinic was not violating any laws, but when Gietzen was insistent, the officer said he would check it out.

Burkhart said the clinic was not contacted by police about the call.

She also said the clinic is taking every precaution to prevent the spread of the coronavirus and started screening patients for exposure risk before the local hospitals did.

Operation Rescue anti-abortion activist Cheryl Sullenger wrote about Gietzen's complaint in an [article](#) on lifenews.com.

O'Donnell, who with Commissioner Jim Howell opposed the county's COVID-19 stay-at-home recommendation, [shared the article on Facebook](#).

"I've finally hit my point of anger with the 'stay at home' resolution," O'Donnell said in his accompanying post. "An abortion is considered 'essential' but you can't get a massage or a haircut? Women are still coming from all over Kansas to have abortions in our community. Very sad."

He wrote that former state Rep. John Whitmer, now a conservative radio talk-show host, told him he would have the votes to pass a resolution to take abortion clinics off the list of "essential" businesses.

"I can't ask my colleagues how they'll vote but John did," O'Donnell wrote.

Whitmer confirmed that he had talked to enough commissioners to assume there would be a majority in favor of closing the clinic.

A majority of commissioners — O'Donnell, Howell and David Dennis — told The Eagle they would like to close the clinic during the emergency.

"They're using medical supplies right now to kill babies when those supplies could be used in the hospital to save lives," Dennis said.

However, Commission Chairman Pete Meitzner stated [in a coronavirus briefing Monday that the commission's order](#) has been superseded by an order issued by Kansas Gov. Laura Kelly on Saturday.

Kelly's [order explicitly states that local authorities](#) "must grant — and do not have the discretion to deny" exemption for businesses categorized by the state as performing "essential functions," including "provid(ing) medical care and services."

Although the commission sits as the county Board of Health, it can only make recommendations to Health Officer Garold Minns, who [signed the county stay-at-home order shuttering thousands of businesses](#) a week ago.

Minns would need to sign off on modifications to the county order.

But the consensus on the commission appears to be that even he can't override the governor.

"We have no scheduled vote, we have no authority," said Howell. "Whether this turns into something like a recommendation to the state of Kansas — that's TBD (to be determined)."

Howell said he would be in favor of sending a recommendation to the the governor to close Trust Women for the duration of the coronavirus emergency.

"If other states are outlawing that service (abortion) because they're deeming it as non-essential, then I'd like to find out why Kansas is treating this differently than other states," Howell said.

Contributing: Chance Swaim of The Wichita Eagle





Sedgwick County commissioners are expected to discuss asking Kansas Gov. Laura Kelly to remove abortion providers from the list of essential businesses that can stay open during her stay-at-home order fighting coronavirus. The move is largely directed at the Trust Women Wichita Clinic, above. JAIME GREEN

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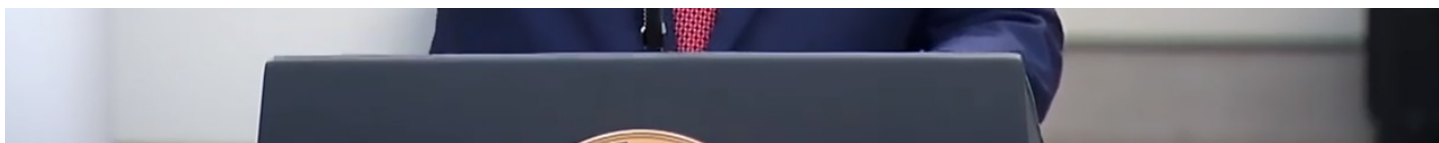
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Senior Journalist Dion Lefler has been providing award-winning coverage of local government, politics and business in Wichita for 20 years. Dion hails from Los Angeles, where he worked for the LA Daily News, the Pasadena Star-News and other papers. He's a father of twins, director of lay servant ministries in the United Methodist Church and plays second base for the Old Cowntown vintage baseball team.

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