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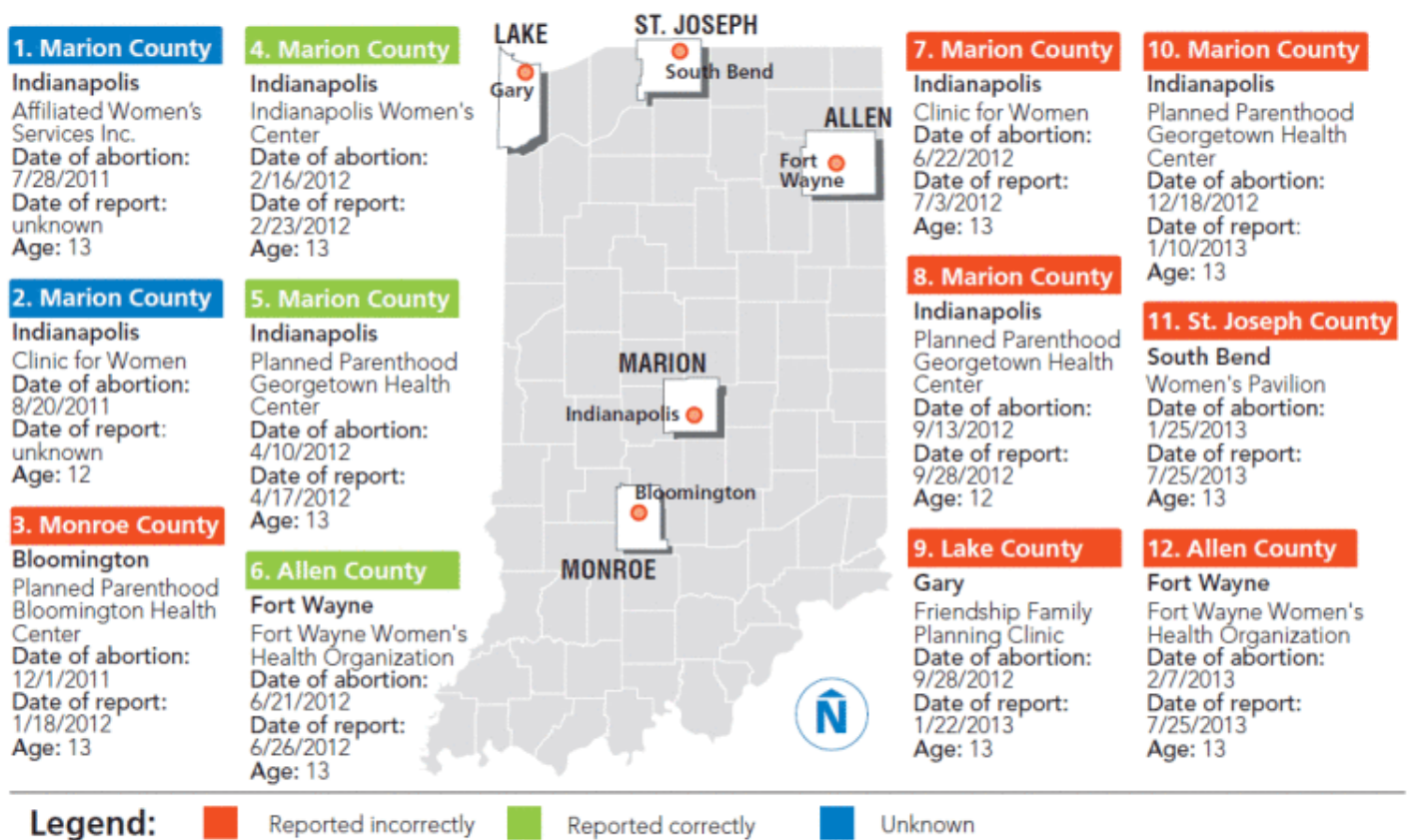
# Gaps in teen abortion reporting

Doctors did not report procedures on time, state records show

By Amanda Gray South Bend Tribune  
Nov 25, 2013

## Teen abortion reports

Doctors have reported at least 12 abortions to girls younger than 14 in Indiana since July 1, 2011. Under a state law (IC 16-34-2-5), abortions for young girls are supposed to be reported within three days. The reports below include the first half of 2013 for St. Joseph County, but 2013 data for other counties is not yet available. Editor's note: This graphic appeared in the Nov. 24 Tribune, but in that edition, the legend incorrectly identified which abortions the state said were reported correctly and incorrectly. The legend is correct today.



SOURCE: Indiana State Department of Health Records

Tribune Graphic/JOHN STUMP

At least four Indiana doctors have waited weeks or even months to report abortions provided to girls under 14 despite a law requiring them to do so within three days, according to state records.

The law, intended to speed up reporting of statutory rape and sexual abuse, is part of a larger requirement for all Indiana abortions to be reported every six months. The law requires doctors to report within three days any abortions provided to girls 13 and younger to both the Department of Child Services and the Indiana State Department of Health. Breaking the law is a Class B misdemeanor.

State records reveal that the doctor who appears to have ignored the law most often is the sole doctor providing abortions in St. Joseph County, who also works at clinics providing abortions in Allen and Lake counties.

Doctors in the state have reported at least 12 abortions to girls under 14 since July 2011, records show. But in seven of those cases, the doctors did not file reports until several weeks -- in one incident, it was six months -- after the procedure. In two other cases, it was unclear when the reports were filed because state records are incomplete.

The reports came from St. Joseph, Allen, Monroe, Marion and Lake counties. The Tribune obtained them through public records requests. The reports include the first half of 2013 for St. Joseph County, but complete 2013 data for other counties is not yet available.

Prosecutors and child safety advocates say timely reporting of young teen abortions is critical to the investigations of possible abuse.

"What we know is that some sex offenders have more than one victim," said Jennifer Pickering, spokeswoman for Prevent Child Abuse St. Joseph County. "The sooner the opportunity arises to investigate, the sooner DCS can get involved and the sooner you can assure that girl is safe and determine if there are any other victims."

Quick reporting can also help in cases that don't involve abuse by an adult, such as a pregnancy that stems from a teenage relationship.

"It leads to other questions, like is there appropriate supervision by parents?" Pickering said. "There are all kinds of things that can be learned from a pregnant 13-year-old."

The law, however, does not stipulate whose responsibility it is to follow up with doctors who disregard the law. And the State Department of Health says it does not forward the reports to county prosecutors.

St. Joseph County Prosecutor Mike Dvorak, in an interview with The Tribune, said he wants to see the reports to determine if investigations should be launched, and that he will contact state officials to work out a system where his office receives them in a timely manner.

Indiana Rep. Randy Frye, R-Greensburg, authored the law in 2011. His goal was to pull back the curtain on sexual abuse against young girls -- something Frye saw during his 26 years as an Indianapolis firefighter. He said he often was called to emergencies where a girl was in labor or having complications, learning later the pregnancy was the result of sexual abuse.

"The intent of the law is to protect these young girls," Frye said. "I can't imagine being in their situation, but I thought that someone should stand up for them."

For comparison's sake, Michigan state law requires abortion providers to report abortions within seven days and does not have special requirements if the mother is under a certain age.

Beyond creating the three-day reporting deadline, Indiana's law requires doctors to include the father's name and age, if known. That information gives officials and law enforcement another tool in prosecuting those preying on young girls, Frye said. All information about the fathers, including their ages, was redacted on the reports given to The Tribune.

The law in 2011 received bipartisan support, according to legislative archives, passing the Indiana House 83-11 and the Indiana Senate 48-0.

Frye said the three-day reporting rule was not meant to punish doctors but rather to encourage them to participate in reporting child abuse.

"The idea and importance is that the state get these reports quickly," he said.

### **Late reports**

At least three abortions since 2011 performed by Dr. Ulrich Klopfer, the only abortion provider in St. Joseph County, were reported well past the three-day window, according to Department of Health reports.

In one case, he performed an abortion on a 13-year-old girl at the South Bend Women's Pavilion on Jan. 25, 2013, but state records disclose that the procedure wasn't reported until July 25, six months later. The girl was in high school and nine weeks pregnant, according to Klopfer's estimates on the report.

Klopfer, an Illinois-based doctor who provides abortions in Lake, St. Joseph and Allen counties, has formal complaints against him for failing to immediately report two other abortions provided to girls under 14 -- one in Lake County in 2012 and another in Allen County in 2013. Both were 13-year-old girls, and both were 11 weeks pregnant, according to the terminated pregnancy reports. The complaints, filed by Allen County Right to Life, came to light in a Fort Wayne News-Sentinel article in September.

Klopfers Indiana medical licenses are currently listed as "valid while under review," according to the states licensing records. Sue Swayze, communications director with Indiana's Professional Licensing Agency, said Klopfers is scheduled to come before the medical licensing board on Jan. 22 in Indianapolis because of public statements he made about having failed to report an abortion of a 13-year-old.

The Tribune left multiple messages for Klopfers but was not able to interview him. He did speak about Indiana's abortion reporting law for a Nov. 12 article by PH Reality Check, an online group focused on sexual and reproductive health.

He told the group he followed all guidelines in sending the Allen County report to the state health department, but admitted he did not send it to DCS, as directed by law.

In the article, he said he now advises young girls under 14, as well as their parents or guardians, to travel across state lines, into Ohio or Illinois, for abortions. Neither state requires detailed abortion reporting, he told the author, and he estimated one-third of these patients choose this option.

Two other abortions in 2012, performed by Dr. Michael King from Indianapolis, were not reported until several weeks later, according to state records. The abortions were performed at Planned Parenthood Georgetown Health Center in Indianapolis. Its parent organization, Planned Parenthood of Indiana and Kentucky, said it would not comment on specific cases but sent a statement from Liz Carroll, vice president of patient services.

"We take our reporting obligations seriously and are committed to following all reporting laws and regulations," the statement said. "The Indiana State Department of Health has not identified timeliness as an issue with any of the terminated pregnancy reports we submitted in 2012."

### **Sharing reports**

The law dictates abortions for young girls should be reported to two state departments, but it does not detail how (or if) the reports are to be shared with local authorities.

James Wide, spokesman for the Department of Child Services, said he is certain DCS follows up with law enforcement when a doctor turns in a report late.

"We definitely do report them, and it would be pretty timely," Wide said.

However, Wide said he is unsure if DCS itself receives all of the reports; the department does not communicate with the Department of Health, he said.

DCS also doesn't keep a list or separate the abortion reports from other abuse reports sent to the Child Abuse Hotline, he said. The reports are emailed to a general inbox, where they are classified under "child molestation," he said. He was unable to give exact numbers of reports sent to DCS since the law's inception, but said DCS handles about 2,000 child molestation-related hot line calls each year.

These incidents are forwarded to local DCS offices, where staff may contact the doctor who provided the abortion for more information, Wide said.

For its part, the Department of Health does not forward the abortion reports to county prosecutors.

"We are a collector and repository of data," Ken Severson, spokesman for the health department, said by email. "We collect the data so that a report can be run and published. That is what the law says we shall do, and that is what we do."

Dvorak, the St. Joseph County prosecutor, said he and the members of the Special Victims Unit are not aware of any of the reports coming to their office. He'd like his office to see these reports, he said, and will contact DCS and the state health department.

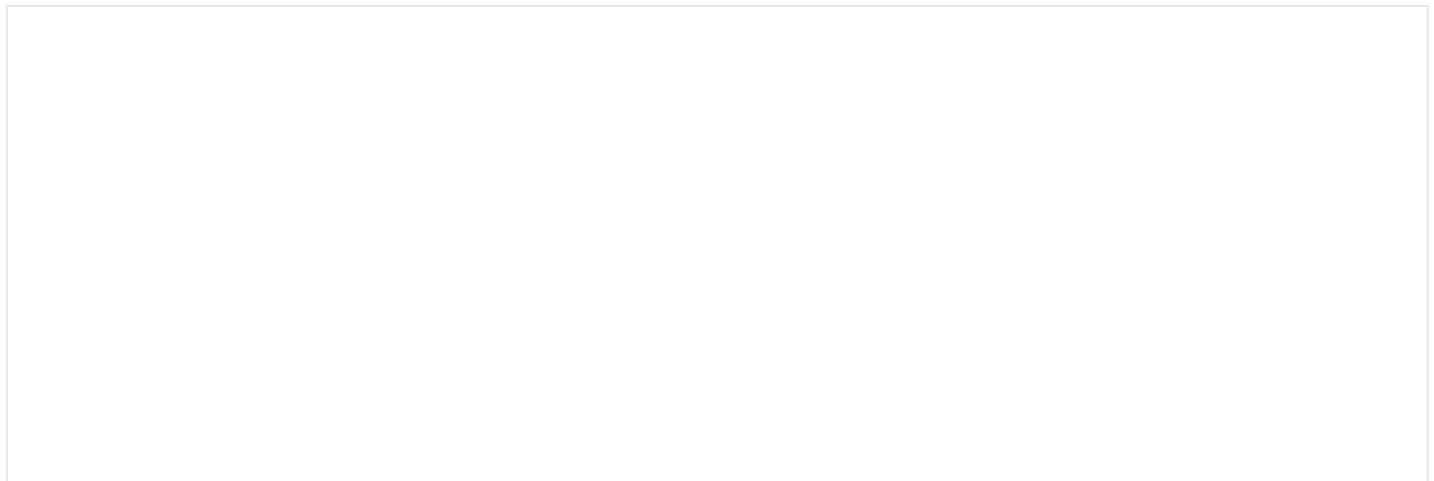
"These reports are only going to cause us to initiate an investigation," Dvorak said. "They're not a complete investigation themselves."

Frye, the law's author, said if state officials are not sending the reports to local authorities, "then maybe it's something we need to talk to the health department about doing."

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**Klopper done with abortions in South Bend**

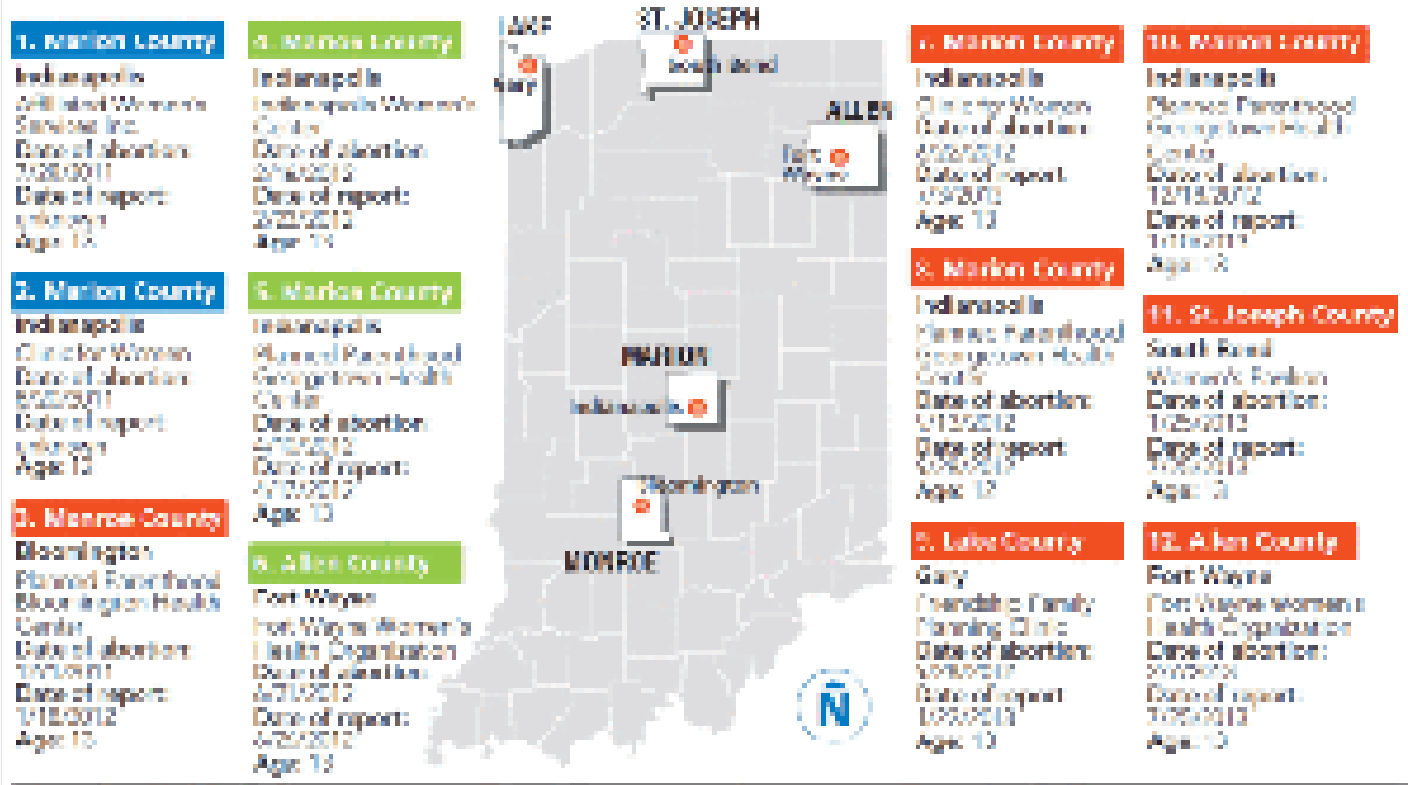
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**Legend:** ■ Reported incorrectly ■ Reported correctly ■ Unknown

Source: Indiana State Department of Health records | Info: southbendtribune.com | 2013-11-24

## Doctor defends abortion practice

Amanda Gray