



Family Concerns

"Bridging the Information Gap"

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ABORTION: KANSAS' PROTECTED INDUSTRY

The Saga of George Tiller and the Law

Hidden things are revealed: abortion industry more entrenched than anyone knew

A recent attempt by outgoing Attorney General Phill Kline to make George Tiller, infamous third trimester abortionist, adhere to Kansas law has been thwarted by Sedgwick District Attorney Nola Foulston and the judiciary in Sedgwick County. George Tiller operates his abortion facility in Sedgwick County where he has operated with impunity. The recent decisions by the courts show that the influence he wields over local authorities casts even a wider net than previously thought.

The charges

Two independent judges have found probable cause to believe that crimes have been committed by the Tiller clinic. Thirty of those charges are summarized at:

<http://www.kansas.com/multimedia/kansas/pdfs/122206tillercharges.pdf>.

Attorney General Kline filed those charges in Sedgwick County, but District Attorney Nola Foulston denied that he had jurisdiction and took it to District Judge Paul W. Clark who agreed with her assessment that she did not consent to the charges. Attorney General Kline then asked that the judge review his decision. District Judge Paul W. Clark dismissed Kline's request to review District Attorney Nola Foulston's throwing out of the charges against Tiller. Interestingly none of the charges or testimony were reviewed, only whether District Attorney Foulston had acquiesced to the charges. Her comment, "Our power and authority is to prosecute all of the crimes that occur within this county. You just can't walk in and make those things without having gone through the regular hoops." However, Attorney General Phill Kline states that he did seek her counsel and she did acquiesce only to reverse herself when the charges were filed. Kansas law states: "(i)f the testimony taken at an inquisition discloses probable cause to believe that a crime has been committed ... the attorney general ... may file such testimony, together with his complaint ... against the person or persons alleged to have committed the crime ... and a warrant shall there upon be issued for the arrest of such person ... as in other criminal cases." KSA 22-3103. (Remember that **two** independent judges found such probable cause in the aforementioned charges.)

An abortion at 10

The ages of the patients itemized in the charges (personal information removed) range from **10 years of age to 22 years** and the age of the fetuses involved range from **25 weeks gestation to 31 weeks**. The reason given in all cases was that the mother would suffer either severe depression---single episode, anxiety disorder, or adjustment disorder if the abortion was not performed.

25 cases of child rape

25 cases of child rape have been referred to local authorities. The records supporting the charges were not delivered to Attorney General Kline's office until October 24, 2006, illustrating possible stalling until after the election. In the Kansas Meadowlark site one can find links to campaign contributions to specific candidates whose position favors abortion rights by Tiller and political organizations associated to Tiller.

<http://www.kansasmeadowlark.com>

The judge

Without looking at the evidence or testimony of the case, the judge apparently decided on whether he believed the district attorney or the attorney general. Meanwhile, abortions on under-age girls, performed on viable babies, continue in Wichita with a wink from the law.

Will justice be served under the new attorney general?

Attorney General Phill Kline has appointed a special prosecutor to review the charges and to continue the case until "justice is served." However, incoming Attorney General Paul Morrison could remove the special prosecutor when he becomes attorney general. Kansas law requires that abortion doctors report the reason and basis for a late-term abortion to the Kansas Department of Health and Environment: **KSA 68-445** reads "Information obtained by the secretary of health and environment under this section ... may be disclosed to the attorney general upon a showing that a reasonable cause exists to believe that a violation of the act has occurred. Any information disclosed to the ... attorney general pursuant to this subsection shall be used ... for the purpose of a ... criminal proceeding." The question to ask is should the incoming attorney general uphold the law or favor the abortion industry? The Attorney General according to Kansas statute "is a constitutional officer, is the chief law enforcement officer of the state and is one of the state's prosecuting attorneys." *State v. Finch and State v. Rohleder*.

Statute of Limitations?

Since the aforementioned violations occurred in 2003, some have said that the Statute of Limitations applies. However, the state of limitations was extended on July 1, 2005.

O'Reilly shows

News pundit Bill O'Reilly of Fox News has been outraged by the abortion industry's stranglehold on Kansas politics. To view a composite of eight shows go to:

<http://www.kansasmeadowlark.com/2006/ShameOfKansas/index.htm>

A charge to keep

Truth has a way of coming out in the end. For months we have been praying that "hidden things be revealed." God has answered those prayers. We now know that "Goliath" is much bigger than we even knew. However, the "Davids" in Kansas serve a God with whom nothing is impossible. Keep the prayers going and keep yourselves informed about the truth and then share it with others. The truth will not come out via the media; it will have to be a true grass-roots effort.