

November 2, 2015

An Open Letter to Governor Pence

Dear Governor Pence,

We are representatives of a variety of pro-life organizations, most of which operate out of The Life Center (TLC) at 2018 Ironwood Circle in South Bend next to the south bend abortion clinic run by Dr. Ulrich “George” Klopfer doing business as “The Women’s Pavilion.” As you know, TLC Legal has been closely monitoring Indiana’s law enforcement activities connected with that clinic. It has obtained copies of all the public records pertaining to inspections of the clinic, to demands that the clinic change its illegal practices, to the pending Medical Licensing Board proceeding nominally seeking to revoke the doctor’s license, and to the three pending proceedings brought in the name of the Indiana State Health Department. Review of these records leads to the inescapable conclusion that members of your administration and the administration of your predecessor, Mitch Daniels, while going through the motions of law enforcement, have made conscious decisions to provide Dr. Klopfer with a perpetual license to operate without regard to the laws and regulations made applicable to his clinic by the State of Indiana. Please prove us wrong. We do not want to believe that two such public advocates of the pro-life position, elected by our state’s pro-life majority, have made such a decision.

We base our conclusions on the following facts:

- Each and every one of the regular biennial inspections of the clinic conducted by the Indiana State Health Department in 2006, 2008, 2010, 2012 and 2014 revealed page after page of illegalities and the only enforcement action taken was to insist that the Doctor promise to do better next time.
- When the doctor ignored two separate written demands that he plan and promise to do better after the 2014 Health Department inspection, and thus forced the Department to initiate a proceeding (ACL-00003-15) to close his facility, the government lawyers entered into negotiations to drop the proceeding in return for later plans and promises to do better.

- Although the Department of Health generated two additional proceedings (No. ACL: 000041-15 and No. ACL-000052-15) nominally aimed at shutting down the clinic, these proceedings were instigated only because The Life Center (TLC) Advocates produced irrefutable evidence (including audio recordings) showing that Dr. Klopfer was regularly conducting abortions without the informed consent of his patients as required by law and thereby committing a Class A misdemeanor with each such act. For some reason, however, the Department has repeatedly refused to consider additional evidence produced by TLC Advocates showing that the violations continued from June 3 through the present.
- Despite evidence of ongoing, systematic violations of the law, including the regular commission of Class A misdemeanors, the Health Department and the Attorney General have failed to take advantage of available legal means to close the illegal operation pending a hearing.
- Despite its administrative proceeding (No. 2014 MLB 0044) nominally aimed at revoking the Doctor's license to practice medicine, the Medical Licensing Board has ignored all evidence submitted to it by the TLC Advocates: including the evidence of ongoing, intentional, criminal abortions carried out without the informed consent of the mothers. Furthermore, although this proceeding was filed in 2014, the state prosecutors have allowed repeated delays and recently asked the Administrative Law Judge to postpone the trial until next year.

Our tentative conclusions are as follows:

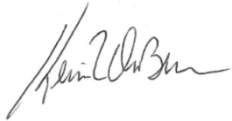
- Since 2006, the nominally pro-life Republican administration decided to let the abortion clinic operate illegally for any number of years as long as it made empty, biennial promises to improve.
- Even when Klopfer ignored demands for more meaningless promises and forced the State to initiate a proceeding (ACL-00003-15) against him, the Department was willing to allow him to continue to operate once he expressed a willingness to make more meaningless promises.
- Just as it was willing to settle ACL-00003-15 in March, the present administration is prepared to quietly settle ACL-000041-15, ACL-000052-15 and 2014 MLB 0044, and to allow the clinic to continue its criminal operations indefinitely.

- The administration is ignoring evidence of ongoing violations precisely because it does not intend to seek the shut-down of the clinic regardless of the evidence of ongoing criminal conduct.

Governor, unless some new information comes to light, we are forced to assume that Dr. Klopfer and his clinic operate under the protection of the executive branch of Indiana's government, and that you have no intention of enforcing state statutes, duly promulgated and established by the Indiana Legislature.

Please prove us wrong. Please show us another explanation for nine years of inaction.

Very truly yours,



Kevin DuBree
Chapel of Divine Mercy



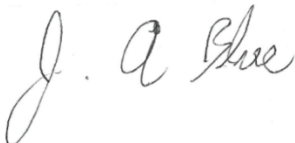
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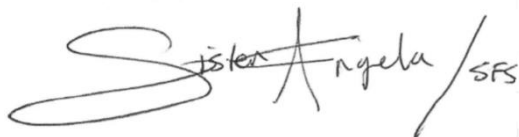
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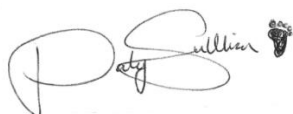
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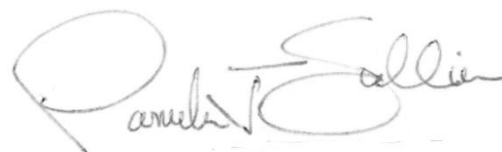
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