

From the offices of . . .

SHAWN F. SULLIVAN ATTORNEY AT LAW, LTD

(547) 286-7860

SullyatLaw@sbcglobal.net

The Life Center files complaints against Women's Pavilion for violations of criminal law and request prosecutorial action

(South Bend – November 28, 2015) - In 66 days, Dr. Klopfer can re-apply and potentially open his abortion clinic known as the “Women’s Pavilion.” That possibility is a significant distortion of justice according to The Life Center (TLC) which recently filed another round of complaints against Dr. Klopfer and the Women’s Pavilion. Among other things, these new complaints by TLC are concerned with Dr. Klopfer’s violations of the informed consent law, which makes it a crime for an abortionist to perform an abortion without first obtaining the voluntary and informed consent of the patient. Informed and voluntary consent under Indiana Code §16-34-1.1 requires the dissemination of certain information to the patient by the abortionist and the waiting period of 18 hours before the abortion.

These complaints by TLC were lodged with the Attorney General and the State of Indiana Department of Health (“ISDH”), as they have been in the past – and which led to the revocation of the Women’s Pavilion’s license – but a new wrinkle is the inclusion of St. Joseph County Prosecutor. According to TLC’s attorney, Shawn Sullivan: “We originally reached out to the Prosecutor’s office over the summer, after the ISDH revoked Dr. Klopfer’s license, and we asked the Prosecutor to at least look into the crimes to which Dr. Klopfer admitted to committing. We have reached out to the Prosecutor several times since then and met with him requesting him to press charges over the 10 admitted offenses, the operation of an abortion clinic with a design to violate the law, based on the audio and testimonial evidence we supplied him, as well as the admissions of Dr. Klopfer to the ISDH. We additionally asked the Prosecutor to investigate the numerous additional informed consent violations and other possible crimes based on the evidence submitted to him.” Shawn Sullivan added: “With Dr. Klopfer’s Pretrial Diversion case in several days, and his medical license hearing occurring soon, these are matters that the public deserves to have investigated and prosecuted.”

Just this week, six new complaints were filed with the ISDH, the Attorney General, and the Prosecutor alleging a number of additional informed consent violations, and, the Prosecutor was asked to look into allegations that Dr. Klopfer operated his abortion clinic without a license, performed a abortion, without a license, and obtained an abortion clinic license with the intent of perpetually violating the law, at least in regards to medical abortions. “The evidence is already there to charge Dr. Klopfer with the 10 informed consent violations that he has admitted-to. The evidence is also there to charge him with fraudulently obtaining his clinic license and operating an illegal operation because he obliged to follow Indiana law when he obtained his permit to operate, he intentionally set up his clinic to deny a woman of her informed consent for all medical abortions.” According to Sullivan’s letter to the Prosecutor, dated today, audio and testimonial evidence was supplied to the ISDH and the Attorney General, the same evidence which led to the revocation of Dr. Klopfer’s clinic license, and that same evidence was offered to the Prosecutor for review. TLC had no information on what the Prosecutor is going to do.

TLC Advocates, a ministry within The Life Center that ministers to the women going in to the Women’s Pavilion are particularly disturbed with Dr. Klopfer’s unabated violation of the informed consent law. They say that they have offered assistance and information to over 100 women in the past three years, and those women have decided against having an abortion by Dr. Klopfer. As one of Dr. Klopfer’s retaliations to this loss in business, he solicited the service of parking lot escorts to make it noisy-enough and disruptive enough so that the TLC Advocates cannot be heard by the women going into the abortion clinic. According to TLC Advocates, Dr. Klopfer also responded to the drastic drop in abortions by eliminating their voluntary and informed consent.

With Dr. Klopfer’s brazen refusal to comply with Indiana law, TLC and other similarly situated organizations interested in the Rule of Law are growing ever more disenchanted with the State’s lack of enforcement of Indiana’s abortion laws. The dissatisfaction began bubbling over in February, 2015 when TLC and others instituted the “Answer the C.A.L.L. (Citizens Against Licensing the Lawless) campaign,” asking the State to enforce the law. Now, there are more than 800 written and electronic signatures on their petition.