

House Select Panel on Infant Lives Makes 6 More Criminal Referrals

The House Select Panel on Infant Lives, chaired by U.S. Rep. Marsha Blackburn (R-Tenn.) has issued six more criminal referrals to the U.S. Department of Justice following its investigation into alleged trafficking of tissue and body parts from aborted babies.

Click [here](#) to see the referral letters. The panel issued the following statement after releasing the documents to the public:

Evidence uncovered by the panel shows that a number of middleman tissue procurement businesses and abortion clinics may have violated 42 U.S.C. § 289g-2, a federal statute that makes it a 10-year felony to profit from the sale of human fetal tissue. The panel discovered that StemExpress may have destroyed documents that were the subject of congressional inquiries, in violation of 18 U.S.C. § 1519 and referred the matter to the U.S. Department of Justice. The Panel also discovered that some entities may have violated the Health Insurance Portability and Accountability Act (HIPAA) privacy rights of vulnerable women, as well as federal regulations governing Institutional Review Boards (IRBs), for the sole purpose of increasing the harvesting of fetal tissue to make money.

Among the most gruesome of the findings was that a Texas abortionist, Douglas Karpen. The panel wrote that evidence in his case could lead to a murder investigation. The panel's statement read, in part:

The panel has uncovered evidence from former employees and a patient of a late-term abortionist in Texas alleging

numerous violations of federal and state law at one or more of the practitioner's clinics. The allegations include eyewitness accounts of the doctor killing infants who show signs of life both when partially outside the birth canal, in violation of the Partial-Birth Abortion Ban Act, and after they are completely outside the birth canal, in violation of the Born-Alive Infants Protection Act and Texas murder statutes. Referred to the Texas Attorney General, and the U.S. Department of Justice.

In its letter to Texas Attorney General Ken Paxton, the panel redacted Karpen's name. But it is widely understood he is the subject of the matter. The panel's letter states, in part:

According to several of his employees, including Employee #1 and Employee #2, who were medical assistants, and Employee #3, who assisted with administrative tasks, numerous patients of [Karpen, redacted] delivered infants alive prior to their demise, which the doctor himself brought about. Specifically, Employee #1, who assisted the doctor in the operating room at [Aaron Women's Clinic], estimated that "[d]uring a typical week with a full patient load, ... would perform abortions at 20 or more weeks gestation, i.e., later in the second trimester or in the third trimester, on approximately 40 patients." Of that number, Employee #1 asserted:

approximately three or four infants would show signs of life. This typically happened when infants were extracted from the cervix in a breech position. At times, the infant would slide completely out because of the extent of the dilation caused by the laminaria administered to patients. In all such cases, would terminate their lives. The signs of life they exhibited would include movement of the stomach as the infant breathed or movement of the toes or fingers.

[Karpen, redacted] would terminate the lives of these

infants, Employee #1 further alleges based on those incidents she witnessed, by any of several methods, including the following:

snipping the infant's spinal cord with scissors; cutting the neck with Sopher forceps or similar instruments; twisting the infant's head; using forceps, other instruments, or his finger to crush the "soft spot" of the infant's head, or crushing it by the same means through its stomach; or inserting his finger down its throat. If the infant's cranium was coming out first, he would usually use his index finger to puncture its head, but if it was coming out feet first, he would instead insert an instrument in the back of the infant's head.

Several of the same allegations were also made by Employee #2.

Employee #3 was not in the treatment rooms when abortions took place, but she alleges she learned from her coworkers of numerous infants whose lives were terminated by after showing signs of life following partial or full extraction from the uterus. On one occasion, she stated that she learned from a coworker of an infant killed by the doctor after surviving an abortion; as he was preparing to put it into a bag for disposal, she maintained, the infant had "opened up his eyes and grabbed his hand."

The referral also noted that under the federal Born Alive Infants Protection Act of 2002, any infant who is born, regardless of whether it is naturally or by extraction during an abortion, is "entitled to the same protections give to every other person." Regardless of the stage of gestation, any child born alive is considered a person under federal law.

The panel's referral letter notes that evidence suggests Karpen committed capital murder on a regular basis:

First, the allegations constitute murder, defined by the

Texas Penal Code as “intentionally or knowingly caus[ing] the death of an individual.” Second, the allegations against [Karpen, redacted] constitute capital murder under Texas law in both of the following circumstances, either one of which is sufficient to establish that offense:

- “the person murders more than one different criminal transactions but the murders are committed pursuant to the same scheme or course of conduct;” and
- “the person murders an individual under 10 years of age...”

The murders alleged against [Karpen, redacted] occurred on a repeated basis, and all occurred pursuant to his course of conduct as a provider of abortion who was alleged to have systematically killed any infant aborted while showing signs of life. The second circumstance is independently established by the obvious fact that every alleged victim was under 10 years of age.

Paxton’s office has not yet responded publicly to the letter. If indicted on the facts submitted by the panel, tried, and convicted, Karpen could potentially face the death penalty. Blackburn did not speak directly to the allegations against the Texas abortionist, but she did issue a general comment about the criminal referrals.

“Speaking as a woman, I am deeply troubled by what we have learned about the mistreatment of patients at a particularly difficult and vulnerable time in their lives,” she said. “They are being treated with a disregard for their best interests and their rights as patients.

“Women deserve better than this. They deserve better than to face any level of deception or pressure. We have seen instances in which profit-driven procurement businesses acting in conjunction with clinics violate women’s privacy rights

under HIPAA. We have seen consent forms misrepresenting to women that cures for still uncured diseases have resulted from fetal tissue.

“It is disturbing to see so many cases where there is barely the pretense of consent or no consent at all before the remains of a baby are taken by researchers.” {eoa}