

Is This Abortion Clinic Really Targeting Middle Schoolers?

A major battle is under way in Huntsville, Alabama, as pro-lifers continue to appeal a recent decision from the city allowing an abortion facility to open directly across from a middle school.

Though the area is zoned as residential, Zoning Enforcement Coordinator Jim McGuffey granted an exception for the clinic based on a 1998 zoning variance initially created for Huntsville Hospital. The hospital originally used the building as a small out-patient clinic within the surrounding community.

In May, abortion facility owner Dalton Johnson purchased the building as a relocation site for his Madison St. abortion facility, which surrendered its license when the clinic failed to comply with new laws requiring abortion facilities to meet the same standards as other ambulatory centers.

While this new building may meet those new requirements, pro-lifers within the surrounding community and the city of Huntsville argue that the 1998 variance does not, in any way, allow for an abortion clinic to operate in a residential area.

The Rev. James Henderson, along with other members of the community, and national group Life Legal Defense Foundation, filed an initial appeal to this effect, but were denied in a 3-2 vote at an Aug. 19 zoning meeting.

Rev. Henderson comments, "This is, of course, round one of the appeal, but I have no doubt that our case regarding this variance is correct," says Henderson. "The wording of the variance is extremely clear, as are the 1998 Zoning Board

minutes—it only applies to an out-patient clinic under the management of the Board of Huntsville Hospital. A new facility requires a new variance. It's that simple."

Local residents are also concerned over a seeming lack of proper procedure from city officials regarding Johnson and his abortion facility. For example, Henderson confirms that Johnson was able to make upgrades to this building before he was ever granted a building permit. He was also not required to inform the community of his intention to open an abortion facility, which the group argues is required by the zoning board's by-laws. In fact, several residents in attendance at the Aug. 19 meeting stood to voice their concern over never being notified by Johnson or the city that an abortion facility would be opening right next to the neighborhood's school.

"It's extremely troubling," Henderson adds. "Here we have an abortion-facility owner who has already failed to comply with the law for one facility, and now the city seems to be going out of its way to make sure he can reopen another as soon as possible—no questions asked—right next to one of our schools."

An appeal to Circuit Court will be initiated by Life Legal Defense Foundation on behalf of the pro-life group.