

# Why Do Mice Have More Legal Protection Than Babies in California?

Despite threats from the attorney general's office during the preliminary criminal hearing in San Francisco Superior Court, a stem cell expert testified that hearts from live aborted babies procured from abortion providers are being used for research studies.

Liberty Counsel is defending Sandra Merritt against felony charges brought against her by California Attorney General Xavier Becerra for her undercover journalism work that exposed Planned Parenthood's trade in baby body parts. Merritt and Merritt's co-defendant, David Daleiden, the founder of the Center for Medical Progress (CMP), are the first undercover journalists to be criminally prosecuted in the history of the state.

During the hearing yesterday, Dr. Theresa Deisher, an expert in adult stem cell research who obtained her Ph.D. in molecular and cellular physiology from Stanford University School of Medicine, testified about the perfusion technique using the Langendorff method that is meant to be used on animal hearts. Deisher said she must go to great lengths as a cardiovascular researcher to make sure that the mice she studies do not suffer needless pain. In fact, she noted, she would face ethical charges and go to jail if she cut beating hearts out of mice without anesthesia.

Deisher also testified how horrified she was upon reading various studies involving baby human hearts procured from StemExpress, which the evidence at the hearing showed were sourced from Planned Parenthood. She knew those studies had to be conducted while the hearts were still beating when cut out,

without anesthesia, from the aborted babies. She consulted with Daleiden before he and Merritt filmed the undercover videos and told them that the research methods discussed in these studies would have required fetal hearts.

Before Deisher first took the stand on Tuesday, Deputy Attorney General Johnette Jauregui tried to intimidate her from testifying by threatening to indict her as a “co-conspirator” because of the scientific advice she had provided Daleiden. Though Jauregui had no legal basis for her action, Judge Christopher Hite told defense counsel that Deisher might need to consult a lawyer regarding her testimony, since the attorney general had raised the possibility of a prosecution against her. Deisher declined and proceeded with her powerful testimony.

The three-week preliminary criminal hearing concluded yesterday. Judge Hite has requested written closing statements, after which he will rule whether the case, or some portion of it, will proceed to a jury trial.

Merritt’s civil case trial filed by Planned Parenthood begins on Oct. 2 in San Francisco and is expected to last between four and six weeks.

Liberty Counsel’s Vice President of Legal Affairs and Chief Litigation Counsel Horatio Mihet said, “As if the evidence of using beating hearts from human babies for research were not already grotesque, California’s attorney general decided to make matters worse by illegally threatening to prosecute a witness to suppress the truth. We are thankful that the attorney general’s transparent and desperate attempt at witness tampering and intimidation failed,” said Mihet.

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topics. Liberty Counsel provides broadcast quality TV interviews via high-definition Skype and LTN at no cost. {eo}

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