SUPREME COURT TAKES
DOBBS V. JACKSON
WOMEN’S HEALTH ORG

Last July Life Legal filed an amicus brief with the Supreme Court, urging it to take up a case involving Mississippi’s ban on abortions after fifteen weeks’ gestation: Dobbs v. Jackson Women’s Health Organization. This May, the Court announced it would hear the case.

Mary Rose Short

Dobbs is the first, and only, Supreme Court case since Roe v. Wade involving a gestational age-based abortion ban.

In its 1992 Planned Parenthood v. Casey decision, the Supreme Court first announced the undue burden and viability standards that now govern the lower courts’ decisions concerning abortion regulation. In essence, these standards have been interpreted to mean that (1) women have a constitutional right to abortion before their unborn children are viable outside the womb, and (2) states are prohibited from regulating or restricting abortion to the point that it places an undue burden on women seeking to abort their children pre-viability.

For twenty years after Casey, states passed practically no laws attempting to ban abortion. Instead of bans, pro-life legislatures crafted laws to regulate the abortion industry (i.e. clinic building codes, abortionist certifications, reporting requirements) or to influence the woman’s decision whether to have an abortion.
GUARDIANS OF WHAT? PREMATURE DEATH?

Alexandra Snyder

Caroline* called us after her mother’s care was taken over by a court-appointed guardian. The guardian does not know the family and has never visited the woman—yet she has the power to liquidate the woman’s assets, enter into contracts on her behalf, determine where she will live, and make life and death decisions about her health care.

Last week, the guardian decided to put Caroline’s mother in hospice over Caroline’s objections, even though she is not terminally ill. Caroline is terrified that the guardian will soon authorize the withdrawal of her mother’s food and water.

Caroline has tried to have the guardian removed, but the judge who would make that decision is the one who appointed the guardian to begin with—and he is not likely to acknowledge that the appointment was a mistake.

Even though the U.S. Senate and the U.S. Government Accountability Office have published reports on fraud, neglect, and outright abuse of adults under guardianship, very little is being done to remedy the problem.

This type of arrangement is rife with the potential for fraud. In 2018, the U.S. Senate Special Committee on Aging issued a report urging greater court oversight of guardians, as “no other court process infringes upon an individual’s personal liberties more significantly than guardianships.” But the same Committee acknowledged that even when complaints are made, guardians are rarely removed.

The U.S. Government Accountability Office (GAO) has published several reports on financial exploitation, neglect, and abuse of seniors who are under guardianship. Here are just a few examples of the types of abuse the GAO found:

• A professional guardian misappropriated over $200,000 from persons under his guardianship to support his drug addiction.
• In Nevada, professional guardian stole at least $200,000 from her wards’ accounts, in part, to support her gambling habit.
• A New York lawyer serving as a court appointed guardian reportedly stole more than $4 million from 23 wards, including seniors suffering from mental and physical impairments as well as children suffering from cerebral palsy.
• In Arizona, court-appointed guardians allegedly siphoned off millions of dollars from their wards, including $1 million from a 77-year-old woman whose properties and personal belongings were auctioned at a fraction of their value.
In 2001, a Texas probate judge was appointed a guardian for a 91-year-old woman who displayed signs of senility. She later changed her will for the first time in 40 years, bequeathing $250,000 to the probate judge, the court-appointed guardian, the judge’s personal accountant, and the court-appointed attorney associated with her case.

A professional guardianship agency stole at least $454,000 over four years from at least 78 victims in Alaska. The director of the agency used the funds to pay off credit card bills, mortgage payments, and camp for his children. No criminal charges were filed.

Some of our own cases are even worse.

Two years ago, we received a call from Samantha* whose disabled sister Charlotte* was placed under guardianship. Charlotte had been in the hospital and doctors wanted to release her. Samantha believed her sister needed additional medical care and begged the hospital to continue to provide Charlotte with treatment. The hospital filed a complaint against Samantha, resulting in the appointment of a law firm to oversee Charlotte’s care. Instead of allowing Charlotte to return home with Samantha, the firm’s lawyers placed her in a long-term care facility.

Soon, they severely restricted Samantha’s visitation. We learned of the case when the law firm sought to withdraw Charlotte’s food and water and found two attorneys to represent Samantha. Initially, our attorneys were able to get the guardianship firm to back off and Charlotte continued to receive care. But ultimately, in spite of our efforts to save Charlotte’s life, the judge signed an order allowing the firm to end Charlotte’s life.

In another case, a young woman suffered a stroke that left her incapacitated. Her mother decided she “wouldn’t want to live like this” and authorized the hospital to remove her food and water. Because the woman was an organ donor, the hospital only removed her food to slowly starve her to death, but continued to hydrate her to preserve her organs. Yes, this actually happens in hospitals all across the U.S. We learned about the case and immediately found an attorney to intervene on her behalf. The court appointed a guardian to act in the woman’s “best interest.” To the doctors’ shock, the woman began to recover as soon as her nutrition and hydration were restored. When she was able to walk and talk again, we petitioned the court to dissolve the guardianship. The hospital fought hard to keep the guardianship in place—they did not want the woman to have the capacity to sue the hospital for trying to kill her. In that case, we were blessed with a very empathetic judge who actually admonished the hospital for attempting to control the woman’s life and eventually he did release the guardian. Ultimately, we succeeded in restoring the woman’s life and freedom, but not without a tremendous amount of pushback from a very well-funded hospital system.

The rampant abuses of professional court-appointed guardians is the subject of a dark comedy recently released on Netflix called “I Care A Lot.” The film is rated R for language and violence and features a lesbian attorney as the guardian, so we do not recommend it, but it is interesting to see that even Hollywood acknowledges that fraud and elder abuse are natural by-products of our current guardianship regime.

The American Bar Association (ABA) recently published an article finding that “Guardianship restricts essential legal, constitutional, and human rights, and all too often the cases move through the courts with minimal regard to due process protections.” Hollywood and the ABA—hardly bastions of conservativism—recognize the problem with commercial conservatorships, yet the systemic abuse of wards continues.

Life Legal is seeing a marked increasing in cases involving professional guardians. In most cases, family members and the wards themselves are not even aware that a guardian has been appointed until it is too late. I recently spoke with an attorney regarding a commercial guardianship case who said it is not uncommon to receive only an hour’s notice before a court hearing appointing a guardian. As a result, most families—if they can make it to court at all—do not have representation to fight for their rights. It is difficult to imagine another context in which people’s most basic civil and human rights are stripped from them without any due process whatsoever.

Once a guardian has been appointed, it is extremely difficult to remove him or her. The abuses cited by the GAO continued for years before they were discovered. It is rare for a guardian to face criminal charges for plundering a ward’s estate. It is even rarer for the ward to recover assets that were stolen, let alone be compensated for the trauma inflicted by an abusive guardian.

In order to address the systemic problems inherent in commercial guardianship, Life Legal is collaborating with other organizations through a task force we helped form last year. In addition to providing legal representation in guardianship cases, we are working together to expose guardianship abuse and to change laws that allow people to be starved and dehydrated to death without their (not their guardian’s) express consent.

In Caroline’s case, above, we were able to find an attorney who was willing to petition the court to become her mother’s guardian to ensure that she continues to receive the care she needs.

*Names have been changed to protect privacy.
I grew up in the red state of Indiana, home to the Nation’s largest annual right to life banquet. Living in California for five years during the 2016 campaign cycle and through Trump’s presidency was a vastly different experience on the pro-life front. While Indiana’s State Legislature actively passed safety reforms, safeguards to stop sex trafficking, and anti-discrimination bills, California required insurance providers to offer coverage for abortions, contrary to federal HHS Office of Civil Rights regulations. California also pays for abortions through its tax-funded Medi-Cal program.

When I moved to Texas in 2020, I knew I was returning to a state well-known for its pro-life policies.

But this week, I spoke with Carol Everett of The Heidi Group (THG), an Austin-area, non-profit organization that strives “to help every low-income woman with [her] annual visit to the physician at no cost.” The Heidi Group has actively voiced the pro-life message across Texas and nationwide for almost three decades, advocating for and supporting pregnancy resource centers (PRCs) in providing pregnancy care and support. I wish I could say I was shocked by what she shared with me about the inner workings of Texas’ state government, but working at Life Legal for four years exposed me to the harsh reality of structural corruption within government. Still, hearing Carol’s story was a sudden, eye-opening reality-check that being a pro-lifer is dangerous—even in a very pro-life state.

Switching Teams—From Abortion Clinic Mogul to Pro-Life Advocate

Carol’s fiery native-Texan spirit gave her a passion for fighting in the trenches. She started her pro-life advocacy after leaving the abortion industry, where she ran several abortion clinics. After realizing the truth of the pro-life position, she departed the abortion industry, instead developing ambitions to become a millionaire through real estate investing. This plan was quickly thwarted when opportunities to speak to the pro-life community about her story began flooding her calendar. She then understood God’s path for her to advocate for the unborn.

After several years promoting lifesaving legislation, Carol realized many encouraging successes. For example, in 1997, S.B. 407 (H.B. 1069) overwhelmingly passed both chambers of the state legislature, and for good reason. The
bill required abortion clinics to follow health and safety standards on par with veterinarian clinics. As a result, about half of the abortion facilities in Texas closed because they could not comply with the same regulations required to care for dogs. More pregnancy resource centers opened. It was a great victory, to be sure.

But Carol realized she wanted to connect directly with the people receiving the benefits of pro-life work. She wanted to see individual lives changed and saved, so after moving from Dallas to Austin, she started The Heidi Group. Carol—through THG—supported the ever-increasing number of pregnancy resource centers that Texas gained after the 1997 legislation. (Prior to the legislation, there were about 90 PRCs; now there are 183.) As the ministry grew, she realized something big needed to be done to root out the abortion machine in Texas.

“Legislating standards was a start,” Carol told me. “But I wanted to do something that injured the abortion industry.”

That “something” was defunding Planned Parenthood. After high clinic-closure levels due to regulatory non-compliance in the 1990s, Planned Parenthood oversaw nine of the remaining abortion clinics in Texas, and was expanding. Carol knew if she could find a way to remove the $70 million in revenue Planned Parenthood received from the Texas government, Texas-based abortion clinics simply could not survive.

What Carol didn’t anticipate were the coordinated efforts to destroy her ministry that would come at her from all sides.

After all, she already had a name in the pro-life community. She already had played a starring role in shutting down abortion clinics and building up pregnancy resource centers. So, what changed?

“I was always left alone until I got money that would have gone to Planned Parenthood.”

**Mission: Takedown**

While continuing her work with The Heidi Group, Carol knew she could make an even greater impact for the PRCs with which she worked if she could re-route money Planned Parenthood was receiving and send it to pro-life organizations.

Carol targeted the common but baseless claim that Planned Parenthood meets an otherwise neglected need for women. In 2008, Carol started her preliminary research into the topic, finding Planned Parenthood had 93 clinics in the state.\(^5\) This paled in comparison to the 4000 health clinics in the state that accepted Medicaid but did not permit abortions. After thoroughly debunking Planned Parenthood’s erroneous claim by simple facts, Carol gained support for the defunding. In 2011, the legislature added a rider to the budget requiring first priority for funds would go to city, county, and state-run facilities. Next, federally qualified healthcare clinics and certain non-profits would be eligible to claim reimbursements, meaning Planned Parenthood would only receive any leftovers of the third tier. This amounted to less than $100,000 in expected funds available for Planned Parenthood clinics, compared to $70 million before the budget rider passed. Twenty-four PP abortion-feeder clinics closed almost immediately.

But Carol’s work promoting a pro-life approach to providing healthcare to needy women had just begun.

**“You Will Fail.”**

In 2015, the Texas Legislature approved a new, state-funded women’s health program serving indigent women, which the Texas Health and Human Services Commission (HHSC) began to implement in 2016. The Heidi Group, under Carol’s leadership, applied to participate in the new program, and, in July 2016, received a contract to participate in the Healthy Texas Women’s program. Of note, THG was the only organization that was explicitly pro-life to operate in the program. Later, THG received a contract under the state-funded Family Planning program in January 2017. Approved six months late, this delay foreshadowed the bureaucratic shortfalls that would dog THG throughout its participation in both programs.

Carol and her budding team rapidly provided training to 35 providers she brought on board under the Healthy Texas Women contract, but support from the state was weak and inadequate. Try as she might, Carol was unable to get assistance from her contract manager at HHSC. Her phone calls and emails asking for help went mostly unanswered. Even when responses were received, critically needed answers were insufficient.

Shortly after the start of the Healthy Texas Women contract, a pro-abortion journalist called Carol for a quote about THG’s participation in the new program. Carol refused to provide one; in response, the journalist chillingly stated: “You will fail.” This sadly proved to be prophetic. Just two years later, the Heidi Group had failure unjustly forced upon it by a hostile state agency—just six weeks after its contracts were renewed.

Carol eventually learned from a senior program leader that HHSC employees openly talked about a plan to sabotage the new program in hopes of directing funds back to Planned Parenthood. This was no conspiracy theory; multiple inside sources confirmed it to Carol, yet no one was willing to step up and speak out publicly for fear of retaliation. This conspiracy eventually culminated in harsh, adverse action against THG.

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In the spring of 2018, HHSC’s Financial Management Unit audited THG, making three findings that have since been established as essentially groundless. Carol and her team soldiered on through this hostile process, submitting to repeated audits over the next four months, all of which THG passed. Then, effective September 1, 2018, after a month of negotiations, HHSC renewed THG’s contracts for another year. All seemed settled and back on track—but it wasn’t.

Unbeknownst to Carol, a former THG staff-member, who was dismissed for unprofessional conduct, defamed Carol and THG to the HHSC Office of Inspector General (OIG). That staff-member also illegally accessed THG’s databases, which is a violation of the state’s criminal laws. The OIG, while aware of the improper conduct, continually encouraged and accepted the illicitly-obtained information and documents from the disgruntled former employee gone rogue.

Despite this attack, THG continued to make progress under its renewed contracts, operating without incident through this hostile process, submitting to repeated audits over the next four months, all of which THG passed. Then, effective September 1, 2018, after a month of negotiations, HHSC renewed THG’s contracts for another year. All seemed settled and back on track—but it wasn’t.

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Despite this attack, THG continued to make progress under its renewed contracts, operating without incident until a pro-abortion publication published an anonymously-sourced hit piece full of false allegations against Carol and THG. Perhaps most egregious, the report asserted THG only served 3000 patients in fiscal year 2017, a figure far short of the truth.

Even though HHSC didn’t voice any concern over the hit piece, it terminated THG’s contracts without warning on October 12, 2018. When Carol asked the reason for the termination, HHSC never replied. She was left in the dark, leaving her providers and patients out to dry. HHSC’s spokesperson publicly repeated some of the lies contained in the hit piece, completely ignoring that THG had its contract renewed just six weeks earlier.

Thus, the conspiracy to collapse the only pro-life contractor in Texas’ new women’s health program hit its target. But this was just the start of the blowback. The OIG then pursued a year-long investigation of THG’s 2017 contract performance. In November 2019, without interviewing Carol or any representatives of The Heidi Group, the OIG released a report simply parroting the erroneous findings made by the HHSC’s Financial Management Unit 18 months earlier. The OIG concluded that The Heidi Group should repay $1.5 million of the money it received for women’s health services.

Only recently, in 2021, has the OIG’s subsequent audit finally recognized the groundlessness of the investigation’s core findings. The amount in issue now is a tiny fraction of the original amount.

**Attacked from All Sides**

It hasn’t been just the government corruption and incompetence Carol is battling against. It wasn’t only one disgruntled employee that picked a fight. The media also joined in. At first Carol openly talked to the media, hoping her transparency would set the story straight. But each time a new article was printed, she lost more and more trust in so-called objective journalism. Supposed “news” stories had headlines like “Anti-Choice Grifter’s Mischief Costs Texas Taxpayers $1.6M.”

Journalists began showing up to Carol’s office and attempting to barge into private offices uninvited. They accosted her in the Capitol building. On one occasion, a journalist physically assaulted her when he grabbed her by the arm.

One of the most jarring incidents occurred when Carol was in The Heidi Group’s office alone with the doors locked. As she entered her private office from another room, she encountered two strangers. Somewhat in shock, she quickly ushered them out the door without asking questions. She called the police, who responded and suggested she search the room for listening devices that may have been planted. Sure enough, she found one in a desk drawer.

Also, the office was broken into multiple times. However, the intruders did not apparently steal anything, but just engaged in inexplicable harassing acts like removing all the food from the refrigerator, which Carol calls emotional terrorism.

**More Than Just a Headache**

The OIG’s endless audit continues to this day. At least a little light of truth found its way into this punitive process: most of the original findings have been found to be without merit.

But the cloud of the previous false reports has disabled The Heidi Group’s capacity to operate by confusing donors and thus drying up contributions. Still passionate about helping women in their time of need, Carol has not given up the fight to set the record straight. Unfortunately, how long The Heidi Group as an organization can continue to exist is an open question.

“Texas has put a pro-life organization out of business,” she told me sadly.

**Moving Forward**

Beaten, but not broken, Carol readily acknowledges that her story serves as both inspiration and warning. It is inspiring to see her commitment to the children, women, and men she is
IN MEMORIAM
RAY DENNEHY (1934–2021)

Life Legal Advisory Board Member Raymond (Ray) Dennehy passed away on April 19, 2021, at the age of 86. Ray was a Professor of Philosophy at the University of San Francisco for 41 years. He was an articulate champion for the lives of unborn children and was invited to the University of California, Berkeley, for 50 consecutive semesters to debate abortion. He wrote and published six books, including *Anti-Abortionist at Large: How to Argue Intelligently About Abortion and Live to Tell About It*.

Several founding members of Life Legal were Dr. Dennehy’s students at USF. Life Legal Chief Operations Officer Mary Riley recalls how he could hold a classroom of student enthralled with new ideas. “As a student in Dr. Dennehy’s class, a whole beautiful new world opened in front of me,” she said. “It was a joy watching him make the profound so simple and attractive. He was entertaining, eloquent, witty, handsome, and his piercing logic could knock anyone off of their horse to see the truth, which was always fun to watch.”

Life Legal President John Streett and his wife Mimi both studied under Dr. Dennehy at USF. Their paths continued to cross as Dr. Dennehy continued his marathon schedule of debates on abortion at UC Berkeley. Years later, Mimi recalls, Ray “brought his incredible genius to one of our sleepy Novato parishes for a lively discussion that stimulated the minds and hearts of those attending.”

Dr. Dennehy once said, “at times we don’t even see the plan God has for us, and for me, it’s been to fight for life,” a mission he would carry out “until I reach room temperature.”

*Requiescat in pace.*

Raymond Dennehy Obituary (2021)—Santa Rosa, Calif.—San Francisco Chronicle (legacy.com) 
https://tinyurl.com/DrDennehy

“Back in the late 1950’s, when arguments for liberalized abortion laws began to emerge on the public scene, they almost always appealed to the hard cases: the mother will die if she carries the pregnancy to term; the baby will be born deformed; if the woman is forced to carry the child of her rapist, she will suffer serious psychological harm, and so forth. Once the public accepted these appeals to “humanitarianism,” it had, in fact, affirmed, at least implicitly, that a human being may be used as a mere means to an end, rather than an end in himself; for they’d given the green light to the deliberate killing of the innocent…. Once you affirm that a human being may be used as a mere means to an end, you will find it increasingly difficult to show why that principle can’t be applied to cases other than abortion. To affirm that a human being is a mere means to an end is to affirm, whether you like it or not, that it is not intrinsically evil to deliberately kill the innocent and, therefore, that the decision to do so depends on circumstances rather than the dignity of the human person.

“Should we be surprised, then, that we have traveled from legalizing abortion for the hard cases to legalizing elective abortion? Should we be surprised that our intellectuals, especially the professors of philosophy, have proceeded from the moral justification of abortion to the moral justification of infanticide and eldercide?”
of the unborn, but also in protecting the integrity of the medical profession (killing babies after 15 weeks becomes exponentially more gruesome) and in protecting women’s health (maternal mortality following an abortion increases greatly after the first trimester) justifies banning abortion after 15 weeks.

In Dobbs, the Supreme Court will decide one question: whether all prohibitions on pre-viability elective abortion are unconstitutional.

Starting in 2013, states began more directly challenging Roe by passing bans on abortion after the baby’s heartbeat can be detected. Some laws required that an abortionist listen for a heartbeat. Others set a gestational limit at which a heartbeat can usually be detected, such as six weeks, and banned all or most abortions after that point. These laws were all blocked or struck down by courts as incompatible with Roe. The Supreme Court declined review in all of the heartbeat bill cases, and the laws remain unenforceable.

Dobbs does not concern a heartbeat bill, but it does seek to upend the accepted understanding of the undue burden and viability standards. The state of Mississippi argues in Dobbs that while the Court ruled in Roe and Casey that a state’s interest in protecting the lives of the unborn is insufficient to justify preventing women from obtaining abortions before viability, Mississippi’s interest in not only protecting the lives but have disabilities.

Life Legal’s amicus brief, filed on behalf of neonatologist Robin Pierucci, M.D., takes aim at the viability standard. In urging the Court to take up Dobbs, Life Legal pointed out that the very notion of “pre-” or “post-” viability is absurd, because there is no “point” of viability in pregnancy. The biggest determining factor for survival in a baby born between 22 and 26 weeks’ gestation is the timing and quality of medical care provided after birth.

To make this point, Life Legal cited two institutions in its brief, the University of Iowa and Providence Women and Children’s Services of Oregon, which have opposing policies toward premature babies born at 22 weeks. The university provides immediate active treatment to all babies born at 22 weeks and sees 60% percent of them survive. Providence refuses treatment to babies born at 22 weeks and sees all of them die. Providence, therefore, is contributing to the statistics that indicate a poor prognosis for preemies, which in turn reinforces the idea that providing medical care for them is futile.

Other factors that play significant roles in a preemie’s chance of survival include whether or not the attending physicians are experienced in caring for preemies, whether they believe treating early preemies is worth the cost and effort, and what they believe about the quality of life of the babies who survive.

Even babies born before 22 weeks have a chance at survival if given proper treatment. Richard Hutchinson was born last year at 21 weeks 2 days, weighing 11.9 ounces, and just celebrated his first birthday. “Richard is the youngest baby I have ever had the honor to care for,” his neonatologist told media outlets.

“Viability depends on myriad factors that vary and fluctuate both before and after birth, from the physical to the philosophical, from the personal
to the institutional to the systemic,” the brief summarized.

More importantly, the Court has never given a reason why viability (even as a hypothetical point) should be the determining factor in whether or not an abortion restriction is constitutional. The brief quotes from Justice Antonin Scalia’s dissent in *Casey*, in which he noted that the very concept of viability is arbitrary and unconstitutional and questioned why “viability” was understood to be when a baby could be kept alive outside the mother with the current technology, rather than when a child can feed himself.

Building on Scalia’s analogy, Life Legal’s brief discusses the concept of a “pool-safe” child, that is, a child who has some ability to swim and a likelihood of survival on his own if he falls into a swimming pool. Comparing “viability” to “pool-safe,” Life Legal argued that allowing states to restrict abortions only post-viability is equivalent to allowing states to legally protect the lives of pool-safe children, but prohibiting them from interfering if a child who cannot swim is forcibly drowned.

Now that the Supreme Court has agreed to hear the case, Life Legal will file another amicus brief. In addition to highlighting the illogic of the viability standard, the brief will point to historical legal arguments that unborn children are persons under the Fourteenth Amendment deserving of affirmative protection under federal law. There is no expectation that the Court would go that far in this case, but raising the argument may help some justices see that a solid “middle ground” would be reversing *Roe* and returning the issue to the states, rather than continuing in its self-appointed role of the National Abortion Regulation Control Board.

Both pro-life and pro-abortion groups recognize that the Court’s ruling in *Dobbs* could overturn *Roe v. Wade*. Pro-abortion groups are generating heated rhetoric as if this outcome were inevitable, while pro-life groups are cautiously optimistic. Either way, it is unlikely that the Court will release a decision before June 2022. ❍

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1 For example, health standards with which abortion clinics must comply.

2 Indiana’s “Sex Selective and Disability Abortion Ban” and parental notification laws are the subjects of *Box v. Planned Parenthood of Indiana and Kentucky* currently before the Supreme Court on a petition for review.


4 http://www.heidigroup.org/about-us.html

5 Nine of these clinics committed abortions. Others were “feeders”—screening centers that conducted pregnancy and STD tests, distributed birth control, and referred for abortion at other locations.

6 This former employee was investigated by the police and ultimately arrested for these acts.

7 Even now, nearly three years after the contracts were terminated and after numerous and on-going audits and reports, neither HHSC nor the OIG have ever even interviewed Carol despite multiple requests from her and their initial agreement to do so.


It was all such a con. During the Great Embryonic Stem Cell Debate, “the scientists” promised to restrict embryo-destructive research to 14 days. They said that was because the neural system begins to form after 14 days.

I said that was bunk, that the 14 day restriction was accepted only because researchers couldn’t maintain embryos in a dish for longer than that. And I predicted once they could maintain embryos beyond 14 days, the “rule” would be cast aside like a snake sheds its skin.

I was right. Now embryos can be maintained for longer than 14 days, and so the International Society for Stem Cell Research (ISSCR) just killed the restriction and recommended against setting any time limits. From the *Nature* article:

Rather than replace or extend the limit, the ISSCR now suggests that studies proposing to grow human embryos beyond the two-week mark be considered on a case-by-case basis, and be subjected to several phases of review to determine at what point the experiments must be stopped.

Ri-i-i-ight. Scientists will review each other’s projects. That will lead to significant ethical boundaries! Good grief.

By the way, this shift opens the door to conducting experiments on living fetuses.
Once artificial wombs are perfected. After all, there is always some scientific or medical justification for such experiments that can be conjured by scientists wanting grant money.

Allowing embryos to grow past 14 days, researchers say, could produce a better understanding of human development, and enable scientists to learn why some pregnancies fail, for instance. The revised ISSCR guidelines are a prompt to begin conversations about when it would be valuable to grow embryos beyond 14 days, says Alta Charo, a bioethicist at the University of Wisconsin Law School in Madison, who was part of the ISSCR steering committee. “We didn’t debate it before — now it’s time to debate.”

That will be a debate among the like-minded, in other words, not a real debate at all.

That’s most unfortunate. The questions presented cut to the heart of societal morality: Does human life have intrinsic value? Are there any limits to what can be done morally to unborn life? Does any perceived utilitarian benefit to the born justify treating the unborn as so much yeast being tested in a lab?

That’s not a matter of “following the science” but setting appropriate ethical boundaries on science. Both are required to maintain a moral society that also promotes progress, because, as history shows, naked science unbound from ethics can become monstrous.

By the way, those moral questions have already been answered in Vermont, which recently enacted a statute explicitly stripping unborn life from any human rights, stating: “A fertilized egg, embryo, or fetus shall not have independent rights under Vermont law.” That is distinct from granting the right to an abortion until birth—which the law also does—because nixing independent rights for the unborn does not require the presence of a woman not wanting to gestate. Expect more of such fetal-farming enabling laws once the artificial womb’s arrival is imminent.

This is very disturbing stuff. But at least the con is over.

[Wesley J. Smith (@forcedexit) is a senior fellow at the Discovery Institute’s Center on Human Exceptionalism and a consultant to the Patients Rights Council. This article was originally published by the National Review (https://www.nationalreview.com/corner/scientists-kill-embryo-research-time-restrictions/) June 4, 2021, where links to web sources cited by the author may be clicked and followed. This article has been reproduced with kind permission of the author.]

SAVE HYDE. SAVE LIVES.

Please contact your representatives in the U.S. House of Representatives about legislation currently under debate (July 2021) about striking the Hyde Amendment

Please act to preserve the Hyde Amendment! U.S. House of Representatives Appropriations Committee is currently debating it and powerful pro-abortion forces are moving to gut or eliminate it entirely. Please see web page LLDF.org/save-hyde and act on this today!
Thank you for standing with us to save this father from a horrific death by dehydration and starvation. It’s hard to imagine that this can happen in America, but we have handled many cases where people are targeted for death because of a disability or injury, or simply because their lives don’t measure up to a certain standard. Please consider making a life-saving, tax deductible donation today. We are so grateful for your prayers and for your support.

Help Life Legal protect life in the courts.

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