

# ELEVEN REASONS WHY TAX MONEY SHOULD NOT GO TO PLANNED PARENTHOOD

## 1. PLANNED PARENTHOOD IS THE NATION’S LARGEST ABORTION PROVIDER.

According to the Guttmacher Institute, there were 926,200 abortions performed in the U.S. in 2014.<sup>1</sup> Planned Parenthood’s report on client services revealed it performed 323,999 abortions in 2014, or 35% of the nation’s total.<sup>2</sup> In fact, Planned Parenthood’s share of the nation’s abortions has been increasing steadily in recent years, as the table below shows.

## 2. TAX MONEY SUPPORTING PLANNED PARENTHOOD’S NON-ABORTION SERVICES FREES UP ITS OTHER FUNDS TO SUPPORT ITS ABORTION SERVICES.

- a. **The record shows that generally, the more tax money Planned Parenthood (PP) receives, the more abortions it performs.**

Report Year	Tax Money Received (Millions)	# of Abortions at PP Clinics	Total U.S. Abortions	PP’s Share (Percent)
2004-5	\$265.2	255,015	1,222,100	20.9
2005-6	\$272.7	264,943	1,206,200	22.0
2006-7	\$305.3	289,750	1,242,200	23.3
2007-8	\$336.7	305,310	1,209,600	25.2
2008-9	\$349.6	324,008	1,212,400	26.7
2009-10	\$363.2	332,278	1,151,600	28.8
2010-11	\$487.4	329,445	1,102,700	29.9
2011-12	\$542.4	333,964	1,058,500	31.6
2012-13	\$540.6	327,166	998,860	32.8
2013-14	\$528.4	327,653	949,200	34.5
2014-15	\$553.7	323,999	926,200	35.0
2015-16	\$554.6	328,248	<i>not yet available</i>	
2016-17	\$543.7	321,384	<i>not yet available</i>	

*Source: PP data from PP Annual Reports. Total Abortions in U.S.: see reference (1).*

- b. **Furthermore, Planned Parenthood has been known to fail to keep non-abortion tax funds separate, so they may go directly to fund abortion services, in violation of the spirit of the federal Hyde Amendment.**

- 1) In a memorandum seeking to defend the state of Indiana’s law defunding Planned Parenthood, Indiana Solicitor General Thomas Fisher indicated that Planned Parenthood of Indiana mixes the federal and state tax funds it receives with its other income in a way that commingles abortion funds with funds meant for family planning. The memorandum said, in part, “there is no record that Planned Parenthood of Indiana makes any effort to either segregate Medicaid reimbursements from other unrestricted revenue sources or to allocate the cost of its various lines of business, whether abortion, family planning, cancer screenings, or other services.... the Medicaid reimbursements it does receive are pooled or commingled with other monies it receives and thus help pay for total operational costs.”<sup>3</sup> Abby Johnson, who worked for a Planned Parenthood affiliate in Texas for eight years, serving as its director for the last two years, said, “As clinic director, I saw how money received by Planned Parenthood affiliate clinics all went into one pot at the end of the day – it isn’t divvied up and directed to specific services.”<sup>3a</sup>
- 2) Moreover, a 2015 report to Congress documented abuses, potential fraudulent activity and illegal use of taxpayer money by Planned Parenthood. Based on multiple federal and state audits, it

revealed that nearly 25% of Planned Parenthood businesses were implicated in financial fraud or mismanagement, wasting at least \$12.8 million in taxpayer funds.<sup>4</sup>

### 3. PLANNED PARENTHOOD'S POLICIES APPARENTLY PROTECT STATUTORY RAPISTS AND SEX TRAFFICKERS.

- a. **Statutory Rape.** In February and March of 2002, Mark Crutcher of Life Dynamics conducted a nationwide undercover phone survey of Planned Parenthood and National Abortion Federation clinics. Eight hundred thirteen of the 906 clinics were reached in every state except Mississippi. The caller portrayed a 13-year-old girl who was pregnant by her 22-year-old boyfriend, and who wanted to conceal this relationship from her parents. (State laws define this situation as statutory rape, which requires agencies becoming aware of it to report it to the authorities). The survey found that 90% of the clinics were willing to arrange for an abortion without reporting it to the girl's parents or the authorities. Thus, nationwide, these agencies' policy appears to be to give the girl a secret abortion and return her to the male (who may or may not be a blood relative) who is legally regarded as a child sex abuser. (For two cases involving Planned Parenthood affiliates in Ohio, see references 5 and 6). Readers may listen to the Life Dynamics phone calls by going to [ChildPredators.com](http://ChildPredators.com).

More recently (2007-2009), Lila Rose of Live Action Films videotaped Planned Parenthood staff members when they responded to her story of being a 13-15 year-old girl pregnant by her 23-31 year-old boyfriend. The following Planned Parenthood offices have been taped apparently being willing to circumvent the laws requiring them to report statutory rape to authorities: Santa Monica CA, Bloomington and Indianapolis IN, Birmingham AL, Milwaukee WI, Charlotte NC, Tucson and Phoenix AZ, Memphis TN. Some of these tapes may still be available for viewing on [LiveAction.org](http://LiveAction.org). Besides Ohio, other recent cases involving real victims have been reported in West Hartford CT<sup>7</sup> Phoenix AZ<sup>8</sup>, Birmingham, AL<sup>9</sup>, Overland Park KS<sup>10</sup> and Waco TX<sup>11</sup>. This suggests Planned Parenthood's failure to report child sex abuse reflects a nationwide pattern.

- b. **Sex Trafficking.** In 2011, a Live Action team posing as a pimp and a prostitute who ran a prostitution ring involving underage foreign girls videotaped Planned Parenthood staff in seven clinics (Perth Amboy NJ, Bronx NY, Charlottesville, Falls Church, Richmond and Roanoke VA, and Washington D.C.) apparently being willing to provide contraceptive and abortion services to the girls. Only one Planned Parenthood office was known to report this situation to the authorities. Readers may view some of these tapes at [Liveaction.org/traffick](http://Liveaction.org/traffick).

Asked to comment on the acceptance of sex trafficking, Abby Johnson, former Bryan, Texas Planned Parenthood clinic director said, "It happens all the time, it happened at my clinic. ... Planned Parenthood has created this idea of tolerance. They want to tolerate all these lifestyles ... they forget to protect their clients. ... They forget to protect these minors that are being abused by pimps and are being abused by older men."<sup>12</sup> Readers may see more details regarding acceptance of sex trafficking situations by consulting references (13-16).

### 4. TAX MONEY GOING TO PLANNED PARENTHOOD FREES UP ITS OTHER FUNDS TO PROMOTE ITS FIERCELY PRO-ABORTION AGENDA.

Planned Parenthood is the foremost well-financed and effective promoter of the abortion-on-demand agenda in the nation. While pro-choice citizens are free to support it with their charity dollars, pro-life citizens should not be coerced by law to support it with their tax dollars. Planned Parenthood advances its pro-abortion agenda by two major means.

- a. **Lobbying and Campaign Contributions.** The Americans United for Life organization reports that Planned Parenthood spent over \$4.8 million in five years to influence votes in Congress and state legislatures, and to support pro-choice candidates.<sup>17</sup> The Center for Responsive Politics reported that Planned Parenthood spent more than \$1 million on pro-abortion candidates in 2010. They report, "The organization's political action committee, for example, donated more than \$148,000 to federal candidates—almost all Democrats—during the 2010 election cycle. The PAC spent more than

\$443,000 overall.” Planned Parenthood also recorded \$905,796 in independent expenditures during the 2010 cycle...” The Center also noted, “the organization’s overall political efforts typically exceed those of any single group that opposes abortion rights. In 2010, Planned Parenthood and a California affiliate together spent more than \$700,000 on federal lobbying efforts. By comparison, all other organizations that primarily advocate for abortion rights collectively spent \$247,280 on federal lobbying efforts during the same period.”<sup>18</sup>

In the 2012 presidential election cycle, Planned Parenthood Action Fund spent \$5.3 million opposing Republican pro-life candidates and \$1.5 million in support of Democrat pro-choice candidates.<sup>19</sup>

In 2013, Planned Parenthood spent nearly \$2.5 million in Virginia’s governor race. In 2014, Planned Parenthood spent \$1.45 million to defeat Tennessee’s Amendment 1, meant to overturn a court ruling that prohibited pro-life laws and safety standards from regulating abortion clinics. Besides its Tennessee affiliates, affiliates from five other states contributed to this campaign. It also planned to spend \$3 million in each of 2014’s U.S. Senate races in North Carolina, and to elect pro-choice Wendy Davis in Texas’ gubernatorial race. Overall, PP’s political arm was reported to be ready to spend \$18 million in the fall 2014 campaign.<sup>19a</sup>

- b. **Attacking Pro-Life Legislation in the Courts.** “Since 1973, Planned Parenthood has challenged parental involvement laws in 21 states, laws to ensure taxpayers are not forced to fund abortions in 20 states, laws to ensure women are given adequate and accurate information when considering abortion in 10 states, as well as other protective laws.”<sup>20</sup> This source generally covers the years prior to 2012. In 2012 and 2013, Planned Parenthood challenged pro-life laws or official rulings in at least 10 states on as many issues.

In September, 2015, Planned Parenthood sued the Ohio Department of Health because of a law requiring abortion clinics to have a transfer agreement with a local hospital to care for patients after an abortion procedure goes wrong. The suit claims that “surgical abortion is one of the safest medical procedures in modern medicine,” calling the law “medically unjustified.” Yet records of the Ohio Department of Health show that at least 47 abortion-related medical emergencies or complications took place between 2011 and 2014 in eight Ohio clinics.<sup>20a</sup>

It is unjust to require pro-life citizens to support an organization that uses their funds, even indirectly, to work in opposition to the citizens’ firmly held beliefs about social policy on matters involving life and death.

- c. **Attacking Individuals and Organizations Who Oppose Its Programs.** Aided by its ideological allies in the media and political worlds, Planned Parenthood vigorously goes after those who oppose its programs. Three examples follow.
  - 1) **Attorney Phillip Kline.** In November of 2007, then Johnson County (KS) District Attorney Phil Kline filed 107 criminal charges, including the non-reporting of child sexual abuse and performing illegal late-term abortions, against the Planned Parenthood clinic at Overland Park, Kansas.<sup>21</sup> Kline later pursued the case as Kansas Attorney General. After more than five years of charges, counter-charges and court hearings, during which the original evidence against Planned Parenthood was destroyed while in the custody of Kline’s opponents, and four judges agreed that there was probable cause to believe Planned Parenthood had committed crimes, Kline’s law license was indefinitely suspended.<sup>22</sup> The question of who illegally destroyed the original evidence was never pursued. The Kansas Supreme Court, which has been known to take an average of four years to decide appeals, denied Kline’s 90-page appeal to restore his license in five business days.
  - 2) **High School Math Teacher Bill Diss.** Bill Diss was a math and computer science teacher employed at Benson High School in the Portland Oregon Public School District. Mr. Diss was awarded certification and recognition as the only teacher in Oregon qualified to teach college level

computer science to high school students for dual credit. He reportedly had brought hundreds of thousands of grant dollars to the school.

Mr. Diss' teacher reviews had been exemplary until he decided to take a stand, on his own time, against the building of a Planned Parenthood abortion clinic in an African American community in Portland. Mr. Diss came under increased scrutiny from school officials from this time on, and was instructed not to identify himself as being employed by Benson High School during any of his community talks. According to STOPP, the American Life League's anti-Planned Parenthood arm, "On September 17, 2012, Planned Parenthood operatives entered Mr. Diss' classroom ... [and] expected to be given the floor to recruit students for the Teen Outreach Program. Because Mr. Diss had been notified that TOP representatives were coming to speak to the class and they produced IDs showing they were from Planned Parenthood rather than TOP, Mr. Diss asked them to leave his classroom. They left, and a few moments later the principal and vice principal came to remove Mr. Diss from the class." The next day, the principal would not give him permission to be excused from a Planned Parenthood presentation. Planned Parenthood filed an official complaint with the school.<sup>23</sup>

After Mr. Diss requested not to be involved with the TOP program, his teaching came under rigorous review. On March 19, 2013, school administrators demanded that Mr. Diss leave the school premises and not return, placing him on paid administrative leave. At a hearing held on November 14, 2013 Diss' principal and vice principal "testified against Diss, citing instances of students 'feeling uncomfortable' with some of the assignments Diss required of them in his math classes. ... Fellow teachers and a teachers' union representative dismissed [their concerns], citing evidence supported by Portland school laws that Diss had not committed any legitimate wrong doings in his classroom over the course of his career."<sup>24</sup> On December 16, 2013, the Portland Public School District Board voted 6-1 to dismiss Mr. Diss. Several of Mr. Diss' opponents were found to have Planned Parenthood and pro-choice associations.<sup>25</sup> The Life Legal Defense Foundation has filed an employment discrimination complaint with the Oregon Bureau of Labor and Industries and the Equal Employment Opportunity Commission.

- 3) **The Susan G. Komen Foundation for the Cure.** This foundation's main mission is finding a cure for breast cancer. It has some 120 affiliates across the country, about 15% of which have donated money to Planned Parenthood affiliates, who were expected to use the funds to pay for PP clients' mammograms at other agencies. Between 2004 and 2012, these donations amounted to over \$5.2 million. The relationship between Komen and Planned Parenthood had generated controversy between pro-lifers and Komen, since Planned Parenthood is the largest abortion provider in the nation, as well as a major source of hormonal contraceptives of various types, both of which have been shown by many studies to be associated with an increase in the incidence of breast cancer.

In late 2011, Komen developed new guidelines for making grants to other organizations. At least two of these affected the grants to Planned Parenthood. These discontinued grants to agencies which acted only as a conduit for funds (which PP did with monies meant to fund mammograms), and prohibited funds from going to agencies under investigation by local, state or federal authorities (PP was then under investigation at state and federal units). Komen notified Planned Parenthood of these changes in December, 2011, and indicated any grants currently under contract, or "in the pipeline" would be honored, but future grants would be unlikely.<sup>26</sup>

In her book about the Komen/PP falling out, Karen Handel, Komen's Senior Vice President who was primarily responsible for developing the new guidelines, said Komen officials believed they had a "gentle ladies" agreement with PP to part ways amicably, acknowledging that a media firestorm was in no one's best interest.<sup>27</sup> Yet six weeks later, Planned Parenthood released the story to the Associated Press. According to Politico's Keach Hagey, "Planned Parenthood's team

took six weeks from when it learned Komen was cutting it loose to put all the pieces in place before giving the Associated Press the 'exclusive.' Planned Parenthood's online and social media team was standing by when the AP story broke." Another observer noted Planned Parenthood put together a strong reaction to the story by effectively using its allies in the main stream media, twitter and facebook petitions, and the power of its supporters in Congress (including Democratic National Chairperson Debbie Wasserman Schultz) to put political pressure on Komen. The result was that Komen restored Planned Parenthood's funding within three days, and Karen Handel resigned.<sup>28</sup>

While Planned Parenthood exploited the resulting firestorm of controversy by raising some \$3 million extra in sympathy for losing Komen's donations, the long term effect on Komen was negative. Even though funding for Planned Parenthood was restored, Komen's donations decreased by 22% in the following year, participation in its Race for the Cure runs decreased, and its founder and CEO Nancy Brinker, President Elizabeth Thompson, and two board members also left the organization within a year's time.<sup>29</sup>

Since the amount Komen donated to Planned Parenthood comprised less than one percent of PP's budget, and since PP's annual report for 2010-2011 showed its excess income over expenses totaled \$155.5 million, commentators suggest that the main reason PP mounted the campaign against Komen was its desire to be viewed as a key player in the fight against breast cancer. Although Komen's support of Planned Parenthood was resumed within three days early in February 2012, and no funds were actually stopped, Planned Parenthood's annual reports indicate it provided 14% fewer breast exams/breast care services in 2012 than it did in 2011.<sup>30</sup>

## **5. PLANNED PARENTHOOD MISLEADS THE PUBLIC AND ITS CLIENTS TO PROMOTE ABORTION AND PROTECT ITS TAX FUNDING.**

### **a. The General Public.**

- 1) In seeking to protect its tax funding, Planned Parenthood likes to give the impression that it is the only organization providing family planning and health services to women, particularly poor women. It conveniently ignores the fact that there are some 9,000 other federally qualified health centers across the country which do the same thing, but do not provide abortions. They serve some 88% of those seeking such services, compared to 12% being served in PP's 700 clinics. In Ohio, the corresponding numbers are 280 clinics to PP's 28. (30a) In presenting an amendment to a U.S. House bill to remove Planned Parenthood's tax monies, Representative Mike Pence explained, "Despite efforts to suggest otherwise, the Pence Amendment does not reduce funding for cancer screenings or eliminate one dime of funding for other important health services to women; the money that does not go to Planned Parenthood ... will go to ... thousands of women's health centers, clinics, and hospitals [that] will still provide assistance to low-income families and women."<sup>31</sup>
- 2) In the same article quoted above, a spokesman for Planned Parenthood told Community Television of Southern California: "If we are defunded, America's emergency rooms will be overrun." However, Paul Pauker of LiveAction.org asked: "Why exactly will emergency rooms be overrun? Planned Parenthood doesn't provide emergency room services. And who goes to an emergency room to get an abortion, STD test, birth control, or Pap smear?"
- 3) In February 2011, Cecile Richards, Planned Parenthood CEO, claimed on CNN Headline News, "If this bill [defunding Planned Parenthood] becomes law, millions of women in this country are going to lose their health care access, not to abortion services, [but] to basic family planning – you know, mammograms ..." However, on March 30, 2011, the Live Action organization released videotaped calls made to 30 Planned Parenthood centers in 27 states whose staff indicated that their clinics did not have mammogram equipment, and referred the callers to other agencies for mammograms.<sup>32</sup> Former clinic director Abby Johnson said, "This is just one of the lies that

Planned Parenthood uses to draw people into their clinics. [They] are not able to provide quality services on their own, so they are forced to lie to the public about services they don't provide – and mammograms are just one of those services.”<sup>33</sup>

Factcheck.org confirmed that Planned Parenthood does not do mammograms, and the U.S. Department of Health and Human Services has stated that no PP clinic is authorized to do mammograms.<sup>34</sup> Before a U.S. Congressional Committee hearing in October, 2015, PP CEO Cecile Richards finally admitted, “We do not have mammogram machines at our health centers” but then added, “and we’ve never said that we did.”<sup>34a</sup>

- 4) Planned Parenthood’s online “Fact Sheet” on “Planned Parenthood Services” reports on page two that in 2009, “abortion services” comprised just 3 percent of its services in 2009, and it continued to report that percentage through its 2012-2015 Annual Reports. Responding to the national movement to revoke its taxpayer funding, Cecile Richards, Planned Parenthood’s CEO told the *Texas Tribune*, “We see 3 million patients each year across the country. For 97 percent of them, we provide preventive care. Three percent are abortions.”<sup>35</sup> But according to its service report, Planned Parenthood performed 332,278 abortions in 2009, meaning that some 11 percent of its 3 million clients got abortions. PP’s 2014-2015 Annual Report also yields a figure of 3.4%, but does not always separate services for men from services for women. In any case, the 3% myth has been thoroughly debunked by reports in sources as varied as Slate, The New York Post, The Weekly Standard, Politifact, and USA Today.<sup>35a</sup>

Abby Johnson says, “Planned Parenthood’s claim that abortions make up just 3 percent of its services is also a gimmick. That number is actually closer to 12 percent, but strategically skewed by unbundling family planning services so that each patient shows anywhere from five to 20 ‘visits’ per appointment (i.e., 12 packs of birth control equals 12 visits) and doing the opposite with abortion visits, bundling them together so that each appointment equals one visit.”<sup>36</sup> In their analysis of these data, Rita Diller and Katie Walker say, “A better way to illustrate Planned Parenthood’s abortion-centered business model would be to see what percentage of its total clinic income is attributable to abortion. When we do the math, we see that Planned Parenthood’s estimated \$152,283,760 abortion income in 2008 amounts to 40.6 percent of its 2007-2008 clinic income.”<sup>37</sup> The Americans United for Life analysis puts Planned Parenthood’s clinic income for the fiscal year ending June 2009 at 37 percent of the total.<sup>38</sup>

- b. **Its Clients.** Although it claims to provide “comprehensive, medically accurate information,” Planned Parenthood also tends to misrepresent facts when it comes to dealing with clients.

- 1) Downloading the page entitled “Abortion Myths: Fact vs. Fiction” on its teenwire.com website on March 20, 2009, we read the following:

[Question] “If I have an abortion, will I be able to get pregnant again?”

[Answer] “Safe, uncomplicated abortion should not affect a woman’s ability to have children in the future. It does not: cause birth defects, cause premature birth or low infant-birth weight, make ectopic (not in the uterus) pregnancy more likely, make miscarriage more likely, make the risk of infant death more likely.”

A later question asks, “Does abortion cause breast cancer?” The answer given is, “Abortion does not cause or increase the risk of breast cancer. The myth that breast cancer and abortion are linked is primarily promoted by groups and individuals who oppose abortion regardless of its safety. It is an idea to frighten women away from having an abortion.”

In contrast to the above information, over more than 35 years, the medical and psychological journal literature reveals that over 125 studies find that induced abortion increases the risk of prematurity and low birth weight in subsequent births. Prematurity is the leading cause of death

among newborns. Those who survive have increased risk of mental retardation, cerebral palsy, respiratory problems, vision and hearing loss, and feeding and digestive problems.

At least 70 studies have examined the relationship between abortion and breast cancer. Eighty percent of these studies show a link between abortion and an increased risk of breast cancer. Moreover, numerous studies have found that legal abortion increases the risk of suicide, psychological problems and substance abuse.<sup>39</sup>

Planned Parenthood continues to deny the validity of these scientific studies.

- 2) In its “Rosa Acuna Project” Live Action videotaped Planned Parenthood clinics in Appleton and Milwaukee, Wisconsin, and Indianapolis, Indiana giving erroneous information to clients about fetal development. For example, a young woman posing as being six to eight weeks pregnant was told by the Planned Parenthood employee, “The fetus is the developing embryo inside of you. But, at this point, there’s nothing developed at all. There’s no legs, no arms, no head, no brain, no heart.” Actually, as any medical textbook will show, the fetus has all of these anatomical parts at six to eight weeks.

Commenting on Planned Parenthood’s approach Abby Johnson says, “Planned Parenthood really tries to instill in their employees and the women that are coming in for abortions that this is not a baby.” “They don’t want to talk about when your baby has a heartbeat,” [because] “they don’t want to give the woman information that could give her a connection with her baby.” The counselor at the Appleton, Wisconsin clinic indicated that at 10 weeks, the fetus had only “heart tones,” as opposed to a heart beat. She said, “Heart beat is when the fetus is active in the uterus—can survive—which is about seventeen or eighteen weeks.” Actually, the heartbeat can be detected as early as 3 weeks.<sup>40</sup>

- 3) Planned Parenthood blurs the line between contraceptives and abortifacients, a distinction which is important to women making decisions about the morality of their actions. It refers to the morning-after pill and the drug “ella” as “emergency contraceptives,” even though they sometimes act as abortifacients. For example, on its website covering “Morning-After Pill (Emergency Contraception)” it says, “The hormone also thins the lining of the uterus. In theory, this could prevent pregnancy by keeping a fertilized egg from attaching to the uterus.” [Since the “fertilized egg,” or more accurately, the 100-cell embryo at implantation, is alive, this is in fact an abortion]. It then says, “You might have also heard that the morning-after pill causes an abortion. But that is not true. The morning-after pill is *not* the abortion pill. Emergency contraception is *birth control*, not abortion.” (Emphasis theirs).<sup>41</sup>

The report by Americans United for Life (AUL) indicates that Planned Parenthood is proud of its role in the Food and Drug Administration’s approval of the drug known as “ella,” which they also term an “emergency contraceptive.” However, “... the chemical make-up of ella is similar to the abortion drug RU-486 ... [which] can either prevent a developing human embryo from implanting in the uterus, or kill an implanted embryo by starving it to death.” Thus, in either case, it acts as an abortifacient.

The AUL report further notes that “In addition to misrepresenting how ‘emergency contraceptives’ work, Planned Parenthood promotes them in a way that leads to the exploitation of women, in particular minors. ... the website of Planned Parenthood Health Services excitedly announces ...” PPHS provides an over-the-counter form of Plan B to women (and men!) age 17 or older...”<sup>42</sup>

## **6. SOME PLANNED PARENTHOOD CLINICS HAVE BEEN FOUND OR ACCUSED OF PROVIDING SUBSTANDARD CARE, APPARENTLY BEING MORE CONCERNED ABOUT THEIR FINANCIAL BOTTOM LINE THAN THE WELL-BEING OF CLIENTS.**

a. **The Bottom Line.** In one of the clearest cases illustrating Planned Parenthood’s concern with holding down its costs as opposed to promoting the welfare of its clients, “Planned Parenthood challenged a Missouri law that required abortion clinics to meet the same standards as the ambulatory surgery centers in the state. ... Planned Parenthood argued that bringing its clinics into compliance with these medically-accepted standards would be ‘so cost-prohibitive as to require passing on the additional expense to patients or to cease their abortion practices.’”<sup>43</sup>

b. **Poor Care, Health and Regulation Violations.**

1) Between January 11, 2011 and the end of 2015, at least 64 women suffered injuries requiring hospitalization after botched abortions in Planned Parenthood clinics in 27 different cities, one of them, Tonya Reaves, dying. Ms. Reaves was sixteen weeks pregnant when she entered the Loop Health Center Planned Parenthood in Chicago. The autopsy report indicated she suffered a perforated uterus, extensive perforation of her broad uterine ligament with a probable severing of her left uterine artery and an incomplete abortion. Although she was bleeding internally, the Planned Parenthood staff allowed her to languish at the clinic for over 5 hours before seeking emergency care. It is believed she would have survived if she had received hospital care sooner. After being sued by her family, Planned Parenthood of Illinois settled for \$2 million.<sup>44</sup>

These cases of botched abortions are just those that are both known and reported. Many other cases may be unreported, particularly when the woman obtains the abortion in one city and receives treatment in another and does not file a lawsuit.<sup>45</sup>

- 2) A Los Angeles Planned Parenthood was reported to have had some 50 lawsuits filed against it from 1983 to 2002. The California Department of Health Services investigated it and cited the organization for seven health and reporting violations.<sup>46</sup>
- 3) In 2007, Planned Parenthood of San Diego and Riverside Counties was sued by a woman who claimed that they failed to inform her that their examination revealed she had cervical cancer. She further alleged that they tried to cover up their error by subjecting her to a series of unnecessary treatments and refusing to turn over her medical records.<sup>47</sup>
- 4) In 2007, a registered nurse employed by Planned Parenthood Chicago Area filed a suit against that organization and its medical director, alleging that: dates on ultrasounds were changed so that patients would have to pay more for their procedures; no anesthesiologist, licensed physician or registered nurse was present or near the recovery room when sedated patients were present; unlicensed employees with no medical training were performing improper ultrasounds and were making ultrasound diagnoses.<sup>48</sup>
- 5) A police report filed in September of 2008 relates that an unnamed 14-year-old girl who was 22 weeks pregnant was virtually held hostage by a staff member of Planned Parenthood’s abortion facility in Kennewick, Washington. The girl was a statutory rape victim, having been impregnated by a 20-year-old who was under police investigation for sexual misconduct. The staff member indicated they could not do the late-term abortion there, but wanted the girl to sign a referral to a clinic in Seattle. The girl did not sign the referral. When her father arrived to claim the girl, the staff member said the girl did not want him there and refused to release her. When a police officer asked the staff member to release the girl to her father, she told him that according to the legal staff of Planned Parenthood, the girl was “emancipated,” and would not release her. A check by the officer with the city attorney indicated that “A juvenile is not emancipated simply by becoming pregnant ... and becoming emancipated required a court process.” The girl was finally released to her father.<sup>49</sup>
- 6) The New Jersey Department of Health inspected Planned Parenthood of Mercer County and found the following health and safety violations among others: improper use of syringes and compounds, improper training and qualifications of staff on management and health care

counseling, lack of an infection control program, not using and sterilizing medical instruments and devices (including a vaginal ultrasound) properly, failure to maintain hot running water in patient care areas, and other sanitary and safety violations.<sup>50</sup>

- 7) When a representative of Live Action posed as a pimp who thought he might have an STD, a staff member at Planned Parenthood in Roanoke, Virginia suggested he go and donate blood. She said, "I tell a lot of people ... for peace of mind, go donate blood – 'cause if you go donate blood, they have to test for anything anyway. And you know, a lot of plasma places, they'll test you for free. ... And they pay you for your plasma." Of course, if any of the tests failed and the "pimp" did have an STD, he could have contaminated the blood supply.<sup>51</sup>
- 8) Planned Parenthood of Kansas and Mid-Missouri was facing 107 charges (including 23 felonies), initially filed by former state attorney Phill Kline. The charges allege its clinic performed illegal late-term abortions and violated state record-keeping laws. The charges were later dropped when the original records were destroyed.<sup>52</sup> See section 4c(1) above regarding Mr. Kline's fate.
- 9) Complaints were filed regarding the Planned Parenthood clinic in St. Louis, Missouri after at least 23 medical emergencies had been documented by Operation Rescue from 2009-2013. A Missouri Department of Health inspection resulted in a 44 page report of safety deficiencies. The bill proposed by Missouri lawmakers in January 2014 in response to these findings is being opposed by Planned Parenthood.<sup>53</sup>
- 10) A malpractice suit involving six charges was filed by 40 year-old Ayanna Byer against Planned Parenthood of the Rocky Mountains in February of 2013. Byer went to the PP clinic in Colorado Springs for an abortion in November, 2012. She indicated she wanted to have an anesthetic for the procedure, but alleges when the staff had difficulty finding a vein, in spite of her request to stop, the abortionist turned on the suction machine, and she was forced to endure pain during the seven minute procedure. Experiencing pain and bleeding, she presented herself at the emergency department of a local hospital. Dr. Steven A. Foley, the attending physician noted that "Ms. Byers was septic with a high fever and elevated white count. She required an immediate high-risk surgery to remove the remaining tissue that had been left during the previous procedure done at Planned Parenthood." He further stated, "... patients are advised that there is no follow-up care for complications available at Planned Parenthood and if any complications arise, they are to go to the emergency room. There are also no provisions for a follow-up appointment for the surgical procedure."<sup>54</sup>
- 11) A medical malpractice lawsuit was filed by a Tacoma, WA woman in December, 2012. She alleges that when she went to the Planned Parenthood Tacoma clinic in June 2011, to be put (back) on Depo Provera then and three months later, she was told her pregnancy tests were negative. (According to the FDA, Depo Provera is contraindicated if the patient is pregnant, and should not be used more than two years running, as it can cause bone loss.) The woman notes that she had been given Depo Provera for 10 years, and later found that she was actually one month pregnant at the first visit. Her complaint indicates she suffers joint and muscle pain, symptoms associated with bone weakness, and that her pelvic floor muscles are permanently contracted as a result of her treatment at the clinic. When seeking an attorney, the woman found that several would agree to take the case until they realized Planned Parenthood was the defendant.<sup>55</sup>
- 12) In the spring and summer of 2013, two former Planned Parenthood nurses and a former health-care manager in Delaware came forward to reveal "Gosnell-like" conditions, particularly at the Wilmington PP clinic. The clinic had experienced five botched abortion emergencies in one five week period. All three women said they were pro-choice. Their collective testimony included:

*No drug guidelines, surgical instruments not sterilized, “meat-market” assembly line abortions, inadequately trained staff, positive STD test results not reported to patients in a timely manner, inappropriate behavior by one of the physicians, and failure to give low income patients the drug RhoGAM when they were Rh negative.*<sup>56</sup>

Although at least two of these whistle-blowers complained to Planned Parenthood officials, the latter did not take action. Complaints to the state Occupational Safety and Health Administration (OSHA) also resulted in slow response. The women went to ABC News, and eventually testified before the Delaware Senate. One of them stated, “The culture of Planned Parenthood of Delaware was focused on maximizing profits and the bottom line, not quality health care of women.”

Dubbed a “hard-core pro-abortion state,” The Delaware House passed a Senate- approved bill which allows *clinic employees* to complain to public health officials, “which in theory, could prompt an inspection.” Showing how reluctant the state legislature was to probe into specifics, neither house held hearings, and both passed the bill unanimously.<sup>57</sup>

**c. Planned Parenthood’s Revision of FDA Rules Regarding the Use of RU 486.**

RU 486 or mifepristone (or Mifeprex) is an abortifacient which causes a “medical” abortion in the early stages of pregnancy. The U.S. Food and Drug Administration (FDA) reports that since its approval for this use in 2000, 14 women in the U.S. who used it died, and 2,207 suffered an “adverse event,” with 27.7 percent of the latter requiring hospitalization.<sup>58</sup>

The “Medication Guide” issued by the FDA indicates that a woman should not take RU 486 if she is beyond 49 days since her last menstrual period. The regimen should involve three visits to her abortion provider. The first visit, on Day 1, should involve getting a thorough physical exam, which would include determining that the woman does not have an ectopic pregnancy. The Mifeprex is to be ingested orally at the first visit. On the second visit on Day 3, the woman is to ingest misoprostol, a second drug in the regimen which induces contractions and is meant to expel the fetus. A third visit on about Day 14 is advised to make sure that the woman is no longer pregnant. If she is, a surgical abortion may be necessary.<sup>59</sup>

Planned Parenthood decided to relax the FDA’s guidelines for the use of RU 486, and to follow a different protocol. This included allowing the use of RU 486 for up to 63 days of pregnancy<sup>60</sup>, and allowing the woman herself to insert the drug vaginally at home. Only after four California women died within a week of sepsis using the drug in this manner did Planned Parenthood follow FDA guidelines and advise that it be taken orally.<sup>61</sup> In its Adverse Events Summary, the FDA noted that, “All but one fatal sepsis case [of eight] involved vaginal misoprostol use.”<sup>62</sup>

Planned Parenthood of Northern New England’s website allegedly advertised that it will give the abortion pill up to 63 days of pregnancy, which can be dispensed by its non-physician staff for take-home use. The New Hampshire Board of Pharmacy was sued for unlawfully granting licenses to six PP clinics in the area for this purpose.<sup>63</sup>

The use of RU 486 to induce abortions is of financial benefit to Planned Parenthood and other abortionists, since there is no need for a surgeon, surgical staff, a surgical suite, or any of the additional services these would entail. Abby Johnson, former Texas Planned Parenthood clinic director, stated that Planned Parenthood officials instructed her to increase the number of medical abortions as a means of increasing revenues.<sup>64</sup>

In late 2012, Planned Parenthood released an American College of Obstetricians and Gynecologists’ (ACOG) study purporting to show that the use of RU 486 which did not comply with FDA regulations was safe for women. However, the study had several methodological flaws which make its results virtually meaningless. These include: (1) failure to make a distinction between FDA approved use and

non-approved use, (2) failure to take gestational age into account (e.g. 49 days vs. 63 days), (3) failure to note how many incomplete abortions occurred, and (4) considering only complications treated at Planned Parenthood clinics – those treated elsewhere were not included.<sup>65</sup>

Planned Parenthood fought an Ohio law requiring it to follow the FDA guidelines, but eventually lost in court in May of 2011.<sup>66</sup> It is fighting a similar law in Arizona, having filed a lawsuit in June, 2011, objecting, among other things, that Arizona's law "would prohibit non-physicians from giving women the abortion drug."<sup>67</sup>

Indeed, Planned Parenthood has removed physicians even farther from the abortion process by offering RU 486 by telemed abortions.

- d. **Telemed Abortions.** Since July of 2008, Planned Parenthood of the Heartland (PPH) in Iowa has been offering clients RU 486 without a physician ever being physically present to them. The physician neither gives the woman a physical exam, nor is he/she present at the woman's follow-up visit. Rather, after reviewing whatever workup is done on the woman at Planned Parenthood's office, the physician communicates with the woman via a live video feed. When the woman agrees to the procedure, the physician pushes a button, and a drawer opens at the woman's PP screen site, revealing two bottles of pills. The woman ingests the Mifeprex in the office, and takes the second bottle of misoprostol to be self-administered at home. Patients who experience complications are advised to go to a hospital emergency room.

If the woman is insured, PPH charges \$1,000 for this procedure, twice the cost of an early surgical abortion, and 2.6 times the average cost of medical abortions nationwide. If the patient lacks insurance, she is charged \$500, still well above the national average of \$390.<sup>68</sup>

After reviewing several studies that find that medical abortions result in more short-term complications than first trimester surgical abortions,<sup>69</sup> Jacqueline Harvey states, "... telemedicine is justified" [by Planned Parenthood] "as expanding access to abortion in rural areas that lack qualified doctors. Telemedicine therefore increases the incidence of women electing for the abortion method with a greater incidence of risk, confounded with reduced access to medical professionals" [in rural areas] "when these risks become reality."<sup>70</sup>

On August 30, 2013, after receiving a petition from some 20,000 Iowa citizens, the Iowa Board of Medicine voted 8-2 to adopt a rule effectively prohibiting webcam (telemed) abortions in Iowa by requiring physicians to physically meet with patients before prescribing abortion-inducing medication. The rule was formulated by 14 Iowa medical professionals, and is now before the Iowa General Assembly for possible adoption into law.<sup>71</sup>

- e. **Rebranding and Doing Less with More.** In recent months, Planned Parenthood has eschewed the pro-choice and family-planning labels and marketed itself as a woman's health care provider. However, its annual reports and activity show it to be concentrating on expanding its abortion business and cutting back on some other services. In January 2011 Lisa David, senior vice president of Health Services Support for PP, confirmed that each of the 85 regions or affiliates of PP was mandated to operate an abortion center by 2013.<sup>72</sup> As we have seen in the table at the beginning of this report, its share of abortions has steadily increased over time.

Yet Planned Parenthood's annual reports reveal that while its tax revenues increased by 52.4% between 2009 and 2015, the number of reversible contraceptive kits distributed to female clients decreased by 13.7%, the number of Pap tests by 70.0%, the number of breast exams/breast care by 56.2%, and the number of colposcopy procedures by 55.0%. Moreover, contrary to some claims, PP does not provide mammograms.

Supposedly concerned about women's health, *Planned Parenthood* condones statutory rape, sex trafficking, and even the ultimate discrimination against females, *sex selection abortion* (performed because the child is not of a preferred sex), the majority of whose victims are females. In spring of

2012, Live Action videotaped PP staff condoning or offering sex selection abortion in Austin TX, New York NY, Chapel Hill NC, Honolulu, and Maui.<sup>73</sup> Although the PP staff member in Austin was allegedly fired (as seems to happen the first time PP is caught in a sting), PP representatives have indicated that none of their clinics “will deny a woman an abortion based on her reason for wanting one, except in those states that explicitly prohibit sex selection abortion.” PP has also opposed both federal and state laws banning sex selection abortion.<sup>74</sup>

## 7. SEVERAL PLANNED PARENTHOOD AFFILIATES HAVE SHOWN THEMSELVES TO BE POOR STEWARDS OF THE PUBLIC'S TAX REVENUES.

The Americans United for Life recent call for a Congressional investigation of Planned Parenthood notes, “Audits of Planned Parenthood affiliates in California, New Jersey, New York, and Washington State demonstrate a pattern of abuse involving [Medicaid] funds.”<sup>75</sup> Following are extensive, but abbreviated quotes from pages 10-14 of this report.

- a. **California.** “In 2004, the California Department of Health Services (CDHS) audited Planned Parenthood of San Diego and Riverside Counties. Instead of billing family planning service at ‘cost’ as required... the ... affiliate improperly marked-up the price of drugs... [which] resulted in overpayment from the government of at least [\$5.2 million] in just one fiscal year. ... In 2008, an action was brought against Planned Parenthood affiliates in California ... which alleges that the over-billing practice ... was a state-wide problem. [The complainant] estimates that over a six-year period beginning in 1999, over-billing by Planned Parenthood’s California affiliates exceeded [\$180 million].”
- b. **New Jersey.** “In 2008, the U.S. Inspector General for HHS uncovered the misuse of federal funds by providers including New Jersey Planned Parenthood affiliates. The State improperly received an estimated \$497,496 in federal Medicaid funds and Planned Parenthood clinics were found to be a significant part of the problem...”
- c. **New York City.** “In 2009, the Office of the Medicaid Inspector General for the State of New York [found] a pattern of over-billing at the Margaret Sanger Center in New York City. A letter ... confirmed Planned Parenthood’s request to settle one audit for \$207,809. A second audit ... found the ‘lower confidence limit of the amount overpaid’ to the Sanger Center for the period it examined was [over \$1.2 million].”
- d. **Washington.** “A final audit report for Planned Parenthood of the Inland Northwest (PPINW) conducted by the State of Washington’s Department of Social and Health Services [WDSHS] found ‘that an excess payment of \$629,142.88’ was made to PPINW during the years 2004 through 2007. The audit was launched after staff with the [WDSHS] grew suspicious of the frequency of purported clinic visits to PPINW by Medicaid patients.”
- e. **Probable Misuse of Title X Funds.** “Title X ... funds are explicitly conditioned such that they may not be used ‘in programs where abortion is a method of family planning.’ HHS notes that this restriction is one of the ‘five major provisions of the law.’ ... However, Title X’s largest recipient, Planned Parenthood, appears to encourage abortion as a means of ‘planning’ a family. Planned Parenthood tells women that “Am I ready to become a parent?” is first among the questions to ask when [they are pregnant and] considering an abortion. Other questions Planned Parenthood proposes that indicate that it considers abortion as a means of family planning include: ‘Would I prefer to have a child at another time?’ and ‘What would it mean for... my family’s future if I had a child now?’

“Importantly, Planned Parenthood appears to be using abortion to ‘plan’ families at increasing rates.” [In the time frame 1999-2009 Planned Parenthood abortions increased] while adoption referrals and prenatal clients ... both decreased. Specifically, Planned Parenthood reported 2,999 adoption referrals and 18,878 prenatal clients in 1999. However, [it] reported only 977 adoption referrals and 7,021 prenatal clients in 2009.”

Besides the above cases revealed in the Americans United for Life report, the following cases of poor stewardship of tax revenues involving Planned Parenthood affiliates have recently come to light.

- f. **Planned Parenthood of the Golden Gate.** On September 3, 2010, the Planned Parenthood Federation of America (PPFA) revoked its trademark from Planned Parenthood of the Golden Gate (PPGG). The organization operated eight facilities in the San Francisco Bay area. As early as 2008, 30 members of PPGG sent a letter to their board and PPFA complaining about financial improprieties by their former director. She allegedly spent agency funds on personal luxury items and “had a hidden expense account for personal use and paid an ‘executive coach’ over \$100,000 a year to tell her how to be a CEO ... for her entire tenure.”<sup>76</sup>

Planned Parenthood of the Golden Gate was also in the news in the past for:

- Being implicated in the death of 18-year-old Holly Patterson, who died of septic shock in 2003 after being given RU 486;
  - “Posting advertisements mocking religion and depicting pro-life demonstrators being shot by a “superhero for choice;”
  - Contributing over \$750,000 to help defeat proposed parental notification laws when they appeared on California ballots in 2005, 2006 and 2008.<sup>77</sup>
- g. **New York State.** A 2008 federal audit found that “the state of New York had over-billed the federal government \$17,151,156 by claiming procedures as ‘family planning’ services when they were not.”<sup>78</sup>
- h. **Planned Parenthood of South Palm Beach and Broward Counties.** National officials of Planned Parenthood closed down this unit for financial improprieties as well as medical problems. The local affiliate’s board had complained to the national office as much as 18 months prior to the national’s action.<sup>79</sup>
- i. **Planned Parenthood Clinics in New Jersey** improperly billed Medicaid for drugs and services from February 1, 2001 through January 31, 2005 that they labeled family-planning related, but did not qualify as such, according to a U.S. Inspector General’s report. The state was required to return \$2.9 million to the federal government.<sup>80</sup>
- j. **Planned Parenthood Gulf Coast (Texas).** This PP office in Houston has agreed to repay the state and federal governments \$4.3 million for improperly billing the Medicaid system. An investigation by the Texas Attorney General’s office and the Texas HHS Inspector General determined that PPGC billed for products and services never rendered, not medically necessary, and sometimes falsified patient’s records so that abortion services could be billed as family planning, a violation of federal law.<sup>81</sup>
- k. **Planned Parenthood of Greater Iowa.** (Now known as Planned Parenthood of the Heartland). Sue Thayer, former manager of PP’s Storm Lake and LeMars clinics, sued PP in March 2011, under both the federal and Iowa False Claims acts, alleging that PP filed some one-half million claims from 2002 to 2009 seeking reimbursement from the state and federal programs for products and services not legally reimbursable. She claimed that PP received and retained nearly \$28 million in this way. The suit maintains PP overcharged for birth control pills, automatically sent a year’s supply of pills to women who had visited only once, recharged for the same pills if they were returned in the mail, and took “voluntary donations” from patients for services and then billed Medicaid in full for them. Federal Judge James Jarvey dismissed the case in December, 2012, saying Thayer failed to provide the necessary specifics to prove a fraudulent scheme. Alliance Defending Freedom has filed an appeal.<sup>82</sup>
- l. **Planned Parenthood of the Great Northwest (Washington).** In 2011, Jonathan Bloedow, a Washington taxpayer, filed suit alleging that PP made at least 50,000 false claims for federal reimbursements for oral contraceptive and emergency contraceptives pills in excess of the amount allowed under the government’s 340B drug reimbursement program. Total overbilling could be as high as \$377, 134,130. In June of 2011, a federal judge dismissed the case on technical grounds,

wrongly concluding that another lawsuit against a different PP affiliate based in California barred Bloedow's suit. On January 8, 2014, the Alliance Defending Freedom filed an appeal on behalf of Bloedow with the U.S. Ninth Circuit Court of Appeals.<sup>83</sup> Finally, there are discrepancies between Government Accountability Office (GAO) figures regarding federal tax monies spent by Planned Parenthood and the latter's own figures. To date, neither has been able to adequately explain the reasons for the discrepancies.<sup>84</sup>

- m. **Alliance Defending Freedom Report.** On September 23, 2015, the Alliance Defending Freedom published an extensive report on Planned Parenthood and other state family planning programs. Focusing on PP, its Executive Summary states: "There are forty-five known recent external audits or other reviews of Planned Parenthood's affiliates' financial data in nine states [including some of those noted above]... nearly every known audit of Planned Parenthood affiliates has found overbilling. In total, these audits have uncovered [nearly \$8.5 million] in waste, abuse, and potential fraud."<sup>84a</sup>
- n. **Planned Parenthood Wisconsin (PPWI).** According to an August 3, 2016 report released by the Office of the Inspector General of Wisconsin, about two-thirds of all Medicaid payments to Planned Parenthood facilities in that state were fraudulent. Of the state's eight facilities receiving such funds, five were PP facilities. PP had the highest percentage of overbilling among the eight facilities. Further, the state Department of Health Services audit uncovered \$50,000-plus in Medicaid overpayments in 2014.<sup>84b</sup>

## 8. PLANNED PARENTHOOD'S "COMPREHENSIVE" SEX EDUCATION PROGRAMS CREATE A NEED FOR ITS SERVICES AND EXACERBATE THE PROBLEMS THEY CLAIM TO SOLVE.

Planned Parenthood's hedonistic brand of sex education would appear to create a need for its contraceptive services, which in turn create a need for its abortion services. If one visits its websites meant for teens, or reads some of its literature for teens, the basic message appears to be "anything goes, as long as there is mutual consent and you are protected." Indeed, a recent sting by the group Live Action reveals Planned Parenthood representatives at four different locations instructing minors in various sadomasochistic practices. (85) Yet, Planned Parenthood has not always done a good job of "protecting" those engaged in sexual intercourse. A 2005 *Consumer's Report* analysis of 23 varieties of condoms found one of three distributed by Planned Parenthood to be the worst of all. (86) Furthermore, a brochure entitled, *Happy, Healthy and Hot*, which Planned Parenthood describes as a guide for young people, states, "You have the right to decide, if, when, and how to disclose your HIV status... You know best if and when it is safe to disclose your [HIV] status..."<sup>86a</sup>

A review of numerous studies indicates there is a serious scientific question as to whether Planned Parenthood's basic mission – to promote the distribution of contraceptives to prevent unwanted pregnancies and abortion – is effective at all.<sup>87</sup> States such as California and New York which the Alan Guttmacher Institute ranked first and fifth, respectively, for how well they meet existing needs for subsidized contraceptive services, and first and third in public expenditures for family planning in 2010, also had abortion rates that ranked sixth and first in the nation in 2011.<sup>88</sup> One report indicated that although some 60 organizations in New York City pass out free condoms, 41 percent of pregnancies in the city end in abortion.<sup>89</sup>

The Alan Guttmacher Institute (AGI) indicates that "Fifty-one percent of women who have abortions had used a contraceptive method in the month they became pregnant..."<sup>90</sup> Hence, forty-nine percent of women who have abortions had not used a contraceptive method during the month they became pregnant. Yet the AGI also reports that just "Eleven percent of women at risk of unintended pregnancy are not currently using any contraceptive method."<sup>91</sup>

Thus, given the great availability of contraceptives, the facts that some one half of all births in the U.S. are unwanted, and that we have over one million abortions annually, the "anything goes as long as there is mutual consent and you are protected" norm seems counter-productive. This is due not only to the failure of contraceptives, but also to their inconsistent use (particularly among teens), even though we have a rather highly educated population, and "comprehensive" sex education is found in some 75% of our public schools.

Government data tell us that in **1940**, prior to the advent of the pill and other modern contraceptives, when the accepted cultural norm was “wait until marriage,” **only 3.8% of births occurred out-of-wedlock**.<sup>92</sup> In **2014** (the most recent date for which data are available), with modern contraceptives, when the accepted norm is “premarital sex is OK, but be protected,” **40.3% of births occurred out-of-wedlock**.<sup>93</sup> **Abortions** (legal and illegal combined) **have increased 10 to 12 fold** since 1967.<sup>94</sup>

**These data indicate that Planned Parenthood’s approach to the problems of unwanted pregnancies, abortion, the spread of venereal disease and sex education has failed and is failing. We ought not support Planned Parenthood’s failing programs and strategy any longer.**

#### **9. THE AMERICAN PUBLIC DOES NOT WANT TO FUND ABORTION OR SUPPORT ORGANIZATIONS WHICH PROVIDE ABORTIONS WITH ITS TAX DOLLARS.**

- a. **Opinion Polls.** One of the most consistent findings of more than 60 polls conducted since funding questions began to be asked in July of 1977 is that a majority of Americans do not want their tax dollars to pay for abortion, whether in a national health care plan, or in any other government program.<sup>95</sup> For example, in 2009, four national polls asking about the use of general tax funds for abortion found an average of 62 percent of Americans opposed, with just 28 percent in favor. Six polls in 2009 asked whether our national health care plan should provide tax funds to pay for abortion. An average of 55 percent were opposed, while just 25 percent approved of tax funds paying for abortion in our health plan. A December, 2013 poll found opinion not much changed, with 58% opposing “using tax dollars to pay for a woman’s abortion if she cannot afford it,” with 37% favoring it.<sup>96</sup>

More to the point, a poll by The Polling Company and Woman Trend in April, 2011, found that 54% of Americans indicated they “oppose tax dollars for family planning services going to organizations that perform abortions.” Opposition was voiced by a majority of men, women, Republicans, Independents, Whites, Blacks, and young Americans between the ages of 18-34.<sup>97</sup>

Finally, a poll released in July 2009 of registered voters in Ohio found 70 percent disagreeing with the statement, “Ohio taxpayers’ money should be used to pay for abortions,” with only some 16 percent agreeing with this use of tax money.<sup>98</sup>

- b. **State Action to Date.** To date, the following states have decided to deny some or all tax monies to Planned Parenthood: Arizona, Arkansas, Indiana, Kansas, Maine, Montana, New Hampshire, New Jersey, North Carolina, Ohio, Tennessee, Texas and Wisconsin.<sup>99</sup> As might be expected, both Planned Parenthood and the Obama Administration are opposing these decisions, and in some cases have been successful in restoring Planned Parenthood’s funds.

#### **10. THE PLANNED PARENTHOOD FEDERATION OF AMERICA IS QUITE WEALTHY, AND DOES NOT NEED OUR TAX DOLLARS.**

According to its latest (2014-2015) financial report, Planned Parenthood had total **net assets of more than \$1.48 billion and \$58.8 million in excess revenue** for the reporting period.<sup>100</sup> Over and above these funds, the Obama Administration recently awarded at least four contracts totaling \$1.03 million to Planned Parenthood affiliates in Iowa, Montana, New Hampshire and Washington, D.C. to provide “Navigators” meant to assist persons signing up for Obamacare. In addition, affiliates in 10 other states, including Ohio, have been designated “Certified Application Counselors” who can certify paid staff or volunteers to serve as navigators. Given its emphasis on abortion, it is likely that applicants will be steered to exchange plans which include abortion coverage.<sup>101</sup>

#### **11. PLANNED PARENTHOOD HAS APPARENTLY BROKEN FEDERAL AND STATE LAWS BY SELLING FETAL TISSUE AND BODY PARTS.**

- a. **The Videos.** Between July 14 and October 26, 2015, a series of undercover videos were released by the Center for Medical Progress (CMP), a pro-life organization headed by David Daleiden.<sup>102</sup> Daleiden

maintains that the videos show PP representatives willing to sell fetal tissue/body parts for a profit, and willing to alter abortion procedures to obtain desired specimens.

- b. **The Law.** Although federal law permits abortion providers to obtain “reasonable payments associated with the transportation, implantation, processing, preservation, quality control, or storage of human fetal tissue,” it prohibits selling tissue for a profit in interstate commerce, and altering the abortion procedure to obtain desired specimens.<sup>103</sup> Some state laws also prohibit these practices. In addition, HHS regulations state: “The timing and method of abortion should not be influenced by the potential uses of fetal tissue for transplantation or medical research.” The regulations also state: “The decision to terminate a pregnancy and procedures of abortion should be kept independent from the retrieval and use of fetal tissue.”

The latter means that the team performing the abortion should not know which fetuses are meant to be donated for research, to insure that they do not change the abortion procedure. The law also requires the mother’s independent consent to donation.<sup>104</sup>

- c. **The Evidence** is contained in some 17 hours of videos which may be viewed at CMP’s website. We present just a few examples of the evidence in response to the following questions:

- 1) Does PP sell fetal tissue for a profit? In the first video, Dr. Deborah Nucatola, PP Senior Director of Medical Services, when asked by an undercover CMP representative, “What price range would you ...” answers before the question is completed, “I would say probably anywhere from \$30 to \$100, depending on the facility and what’s involved.” When asked, she confirms that this means per specimen.

In the second video, Dr. Mary Gatter, president of PP’s Medical Directors’ Council, and director at the Pasadena branch, is asked by the CMP rep: “What would you expect for intact tissue? What sort of compensation?” Dr. Gatter responds, “Well, why don’t you start by telling me what you’re used to paying? ... you know in negotiations, the person who throws out the figure first is at a loss, right? ... I don’t want to low ball.” ... “It’s been years since I talked about compensation, so let me just figure out what others are getting; if this is in the ballpark, it’s fine, if it’s still low then we can bump it up. I want a Lamborghini.” (She laughs at her last remark, apparently meant as a joke).

In the third video, Dr. Savita Ginda, Vice President and Medical Director of PP of the Rocky Mountains, looking over a dish of fetal body parts with a CMP rep, when asked if compensation of \$200-\$300 would do, says, “I think the per-item thing works a little better just because we can see how much we can get out of it.”

- 2) Does PP alter the abortion procedure when obtaining fetal tissue?

PP’s Dr. Nucatola: “ We’ve been very good at getting heart, lung, liver, because we know that, so I’m gonna crush that part, I’m gonna basically crush below, I’m gonna crush above, and I’m gonna see if I can get it all intact.” ... some people will actually try to change the presentation so that it’s not vertex [head first]. So if you do it starting from the breech presentation, there’s dilation that happens ... and often, the last step, you can evacuate an intact calvarium [head] at the end.”

PP’s Dr. Gatter: “I wouldn’t object to asking Ian, who’s our surgeon who does the cases, to use an IPAS [manual vacuum aspirator] at that gestational age in order to increase the odds that he’s going to get an intact specimen.”

- 3) Does PP keep the retrieval process independent of the abortion process?

Asked by the CMP rep how much of a difference it would make if the abortionist knew what body parts were needed, PP’s Dr. Nucatola said, “It makes a huge difference. I had eight cases yesterday, and I knew exactly what we needed. ... so I knew what cases that were probably likely

to yield what we needed and I made my decisions according to that view. ... so it's worth having a huddle [with staff] at the beginning of the day, and that's what I do."

(See also Dr. Gatter's response to question 2 above).

4) Does PP always obtain proper consent from its abortion patients?

In the sixth video, Holly O'Donnell who worked for StemExpress as a "tissue procurement specialist" at Planned Parenthood clinics in Stockton and Fresno, CA, spoke to CMP. She indicated she would obtain patients' consents, and would do so even if they were ambivalent. She stated, "If there was a higher gestation [fetus], and the tech needed it, there were times when they would just take what they needed. And the mothers don't know."

Nancy Tanner shared her abortion experience at a PP clinic in Washington, D.C. with the Silent No More Awareness Campaign. "I said I didn't want to sign it [the tissue donation consent form] and they said I had to or I couldn't have the abortion."<sup>105</sup>

- d. **Planned Parenthood's Response.** On July 14, 2015, Eric Ferraro, Vice President of Communications for PP stated, "... we help patients who want to donate tissue for scientific research ... with full, appropriate consent from patients and under the highest ethical and legal standards. ... There is no financial benefit for tissue donations for either the patient or Planned Parenthood." On July 16, 2015, PP President Cecile Richards released a video in which she said, in part, "I want to be really clear. The allegations that Planned Parenthood profits in any way from tissue donations is not true." After much national controversy ensued, Ms. Richards announced on October 13, 2015 that PP would no longer accept any reimbursements for its fetal tissue programs, even those allowed by law. Some interpreted this as a move to squelch investigations into the matter which had begun or were planned.<sup>106</sup>

**It should be evident that Planned Parenthood neither needs nor deserves any more of our tax dollars.**

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