

# Texas grand jury indicts anti-abortion operatives who doctored videos

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A Texas grand jury investigating alleged misconduct by Planned Parenthood instead indicted two operatives of an anti-abortion group that created doctored videos of the organization last year, which they claimed showed representatives of the health provider selling aborted fetal tissue for profit. Planned Parenthood was cleared of any wrongdoing.

The grand jury in Harris County on Monday indicted David Daleiden and Sandra Merritt, both of the misnamed Center for Medical Progress, on felony charges of tampering with a governmental record, according to Harris County district attorney Devon Anderson.

Daleiden, the group's founder, was also indicted on a misdemeanor charge. According to the *New York Times*, a lawyer for Planned Parenthood "said he believed the misdemeanor charge stemmed from laws prohibiting offers to buy fetal tissue. He said that after the meeting with Planned Parenthood officials in Houston in April, Mr. Daleiden sent an email to them in June offering to buy fetal tissue for \$1,600 per sample. Planned Parenthood never responded to the offer."

The felony carries a possible maximum 20-year prison sentence, while the misdemeanor carries a sentence of up to a year.

"We were called upon to investigate allegations of criminal conduct by Planned Parenthood," the district attorney said in a statement. "As I stated at the outset of this investigation, we must go where the evidence leads us. All the evidence uncovered in the course of this investigation was presented to the grand jury. I respect their decision on this difficult case."

Eric Ferrero, a Planned Parenthood Federation of America spokesman, praised the grand jury's action, stating, "These people broke the law to spread

malicious lies about Planned Parenthood in order to advance their extreme anti-abortion political agenda."

According to the indictments, which were obtained by the *Wall Street Journal*, the felony charges against Daleiden and Merritt are related to their use of fake California driver's licenses "with the intent to defraud or harm another." The indictment included copies of the fake licenses the pair allegedly used to access Planned Parenthood.

The indictments are an unexpected twist in the case motivated by the undercover videos shot and heavily edited by the Center for Medical Progress. The series of 10 videos purported to show Planned Parenthood officials illegally selling fetal tissue and body parts for profit. The videos were released July to great fanfare by the anti-abortion group, and were seized upon by Christian fundamentalists and right-wing Republicans as ammunition to be used against Planned Parenthood.

In August, the Harris County district attorney's office began investigating Planned Parenthood Gulf Coast after a call for a probe of the videos by Texas governor Greg Abbott, a Republican, in July. The Harris County grand jury began hearing evidence in November following an investigation by the district attorney, Houston police and the Texas Rangers (state police).

Planned Parenthood has consistently maintained that it has broken no laws, that the videos in question were edited deliberately to be misleading, and that the health group's clinics legally received money to cover the cost of procuring, storing and transporting fetal tissue for medical research. In October, the group said that it would stop accepting such reimbursements.

Planned Parenthood provides reproductive health services to nearly 5 million each year. These services include contraception, abortions, testing for sexually transmitted diseases, breast exams and counseling.

Planned Parenthood is the only accessible and affordable provider of these services for many working class women. The campaign against the organization, including the doctored videos, utilizes religious prejudice against abortion as a cover for undermining women's health services provided by the health group.

Countering this attack, earlier this month Planned Parenthood filed a civil lawsuit against Daleiden and others connected to the Center for Medical Progress, alleging they had engaged in an illegal conspiracy in creating the videos. Planned Parenthood alleged in the suit that the anti-abortion group violated a federal racketeering law by engaging in a pattern of criminal acts.

Despite the grand jury's indictment of the Center for Medical Progress's founder and employee, Governor Abbott says that the inspector general of the Texas Health and Human Services Commission and the state attorney general's office would continue to investigate Planned Parenthood.

"Nothing about today's announcement in Harris County impacts the state's ongoing investigation," Abbott said in a statement. "The State of Texas will continue to protect life, and I will continue to support legislation prohibiting the sale or transfer of fetal tissue."

Such threats are part of a concerted vendetta against Planned Parenthood, which receives about \$528 million, or 41 percent of its annual revenue, from state, local and federal funds. More than 70 percent of this is in reimbursements for services under Medicaid, the government insurance program for the poor jointly administered by the federal government and the states.

Congressional Republicans have long sought to defund the group. To this end, following the release of the doctored videos, Planned Parenthood president Cecile Richards was hauled before the House Oversight and Government Reform Committee and grilled for five hours. The hearing was timed to coincide with the September 30 budget deadline for funding the federal government.

The year-end spending and tax package passed December 18 by the US Congress, which removed the prospect of a government shutdown during the 2016 election campaign, in the end did not place limits on federal funding for Planned Parenthood. Republicans are sure to continue to target funding for the group, and

contenders for the Republican presidential nomination have made it a key focus of their campaigns.

During a Republican debate last September, Republican presidential candidate Carly Fiorina claimed that there were videos showing "a fully formed fetus on the table, its heart beating, its legs kicking, while someone says, 'We have to keep it alive to harvest its brain.'" Despite the fact that nothing of the sort was depicted, even in the doctored videos, the multimillionaire candidate has never withdrawn her statements.

According to Planned Parenthood, officials in 11 states—Kansas, Florida, Ohio, Washington, Pennsylvania, Georgia, Indiana, Massachusetts, Michigan, Missouri and South Dakota—have cleared the health group of allegations that it has profited from fetal tissue donation.



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