First "Pro-abortion rescue" flops

Ruth Arick of the Feminist Majority Foundation helps move the Women's Clinic from its old site following eviction.

by Carole Novielli

Ft. Lauderdale, FL — The Women's Clinic of Ft. Lauderdale, Florida, despite highly-publicized efforts by the Feminist Majority to pay its debts and move it into a new location, failed to reopen in September. Pro-life prayer and activism played a big part in embarrassing the pro-abortion movement.

The clinic's financial troubles mounted after it lost a frivolous lawsuit it filed with abortionist and State Representative Ben Graber against the Moral Majority. Moral Majority attorney Jeffrey O'Keefe filed for $23,000 in attorney's fees against Graber and the Women's Clinic. Graber refused to pay, leaving the legal bill to Joyce Tarnow, owner of the Women's Clinic.

Tarnow has run one of the oldest abortion clinics in Ft. Lauderdale. It has been picketed for several years, and she has accused pro-lifers of gluing doors, putting nails in the parking lot, and shooting out clinic windows.

Police reports name no suspects and other businesses in the plaza with the Women's Center had also been the target of vandalism.

Pro-lifers deny vandalizing the clinic, and suggest it could have been done by pro-abortionists trying to discredit them, or that the vandalism is random.

After ten years of sidewalk counseling and picketing, the plaza housing the abortion clinic was nearly vacant, so Tarnow's landlord decided not to renew her lease, claiming the picketing was chasing businesses away. With mounting legal debts and a forced move facing them, Tarnow announced she would close the clinic.

Within weeks, Ruth Arick of the Feminist Majority rushed to Tarnow's assistance. They mounted a major campaign, to "rescue" the Women's Clinic. They ran ads and stories in the local papers begging abortion supporters to send donations to Tarnow. They organized counter-demonstrations outside the clinic in support of abortion. Soon the Women's Clinic was announcing a "comeback." The Feminist Majority crowed over the large number of contributions people were sending.

Early in September, Tarnow and the Feminist Majority announced they had found a new location for the clinic. The press cooperated in keeping the location secret in order to frustrate pro-life demonstrators. Asked for comments by the media, Michelle Herzog and other pro-life demonstrators kept quiet to frustrate the clinic's public relations game.

Instead, pro-lifers kept praying. Years earlier, Paul Novielli, a staunch pro-life activist and promoter of prayer, had started a group of pro-lifers who gathered weekly to pray to end abortion in the community.

On September 10, Tarnow and the Feminist Majority held a press conference at their new location. Only one newspaper covered the event. There was no response from pro-lifers. The Miami Herald quoted Ruth Arick of the Feminist Majority, "This is rescue in the real sense. It's sort of a maiden voyage."

The media kept their pledge not to disclose the clinic's location until they were moved in the following week. The only information they gave was the name of the new landlord, Fred Sultan. He was quoted: "To me it's a business proposition, a leasing of the space like any other tenant. I have definitely not lost a tenant nor had a threat to lose a tenant because of it."

The following week, Eleanor Smeal, president of the Feminist Majority, joined staff of the Women's Clinic on what they called their "Freedom Ride" from the old location to the new one. Supporters wore shields saying "This Clinic Stays Open."

But when Tarnow and Smeal arrived at the new location, 2700 West Oakland Park Boulevard, in Oakland Park, they were taken by surprise. The keys did not fit the locks of her new clinic.

Police arrived and told Tarnow she could not move in, because the landlord had revoked her lease. Tarnow blamed pro-life pressure, but Sultan said he was revoking the lease because of "legal technicalities."

News reports said pro-lifers had phoned Sultan and asked him not to allow Tarnow to move into his building pro-life demonstrators had picketed Sultan's house the previous weekend.

Other tenants in the building said they had known nothing about the abortion clinic moving in until they received a flier shortly before the move. The flier sent by "Concerned Citizens of Broward County," informed the tenants of the picketing the abortion clinic would attract in front of the building. One tenant told the landlord he would move out if Tarnow moved in.

Tarnow called the news "economic terrorism." Apparently it was fine for her to speak about the picketing when she was pleading for financial support from pro-choicers, but wrong for pro-lifers to describe picketing to her future neighbors.

Tarnow and Smeal were stunned that their months of planning had failed on the very day of the clinic's move. Smeal told reporters that the flier and phone calls were "intimidation, extortion, and similar to organized crime."

Smeal had intended for the move to be the first in a nationwide effort to put failed abortion clinics back into business. Pro-lifers viewed it as a major victory for south Florida and the entire country.

"This is a tremendous victory for the preborn people," said pro-life activist Michelle Herzog. "It shows that God is alive and not to be messed around with."

Pro-lifers say that it was the constant prayers which finally thwarted the abortionists' plans. While pro-abortionists say they will continue to seek a new location for the clinic, the pro-lifers' prayers to thwart their search will also continue. ■

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ACLU suit against Detroit activist Mills dismissed

by Anna Duke

In December of 1991 the Detroit Branch of the American Civil Liberties Union filed a civil lawsuit on behalf of Jane Roe and Nancy Doe against Lynn Mills, Sister Lois Mitoraj and the Felical Sisters Order. The lawsuit alledged that Mills and Sister Lois had violated the privacy of these two females when their names appeared on picket signs saying "Tish N___, don't kill your baby"and "Jodi D____, it's not to late." Intrusion upon Seclusion and Public Disclosure of Private Facts were also counts alleged in the suit. (see Life Advocate July 1991).

Counsel for the defense, Constance Cumbey, and her law clerk Timothy Pierce filed a Summary Disposition brief —a motion to dismiss the case for lack of evidence.

Along with the motion to dismiss the case was a motion to postpone the trial to Nov. 29 because a key witness of the A.C.L.U. was unavailable due to a death in the family. Cumbey had no objection to this motion. Cumbey requested her clients show up on November 9 feeling the judge would grant the A.C.L.U.s motion but prepared for trial because "until the judge grants the motion, the trial is taking place!"

Judge Kirwan started out that morning by addressing ACLU lawyer Sharon Lutz

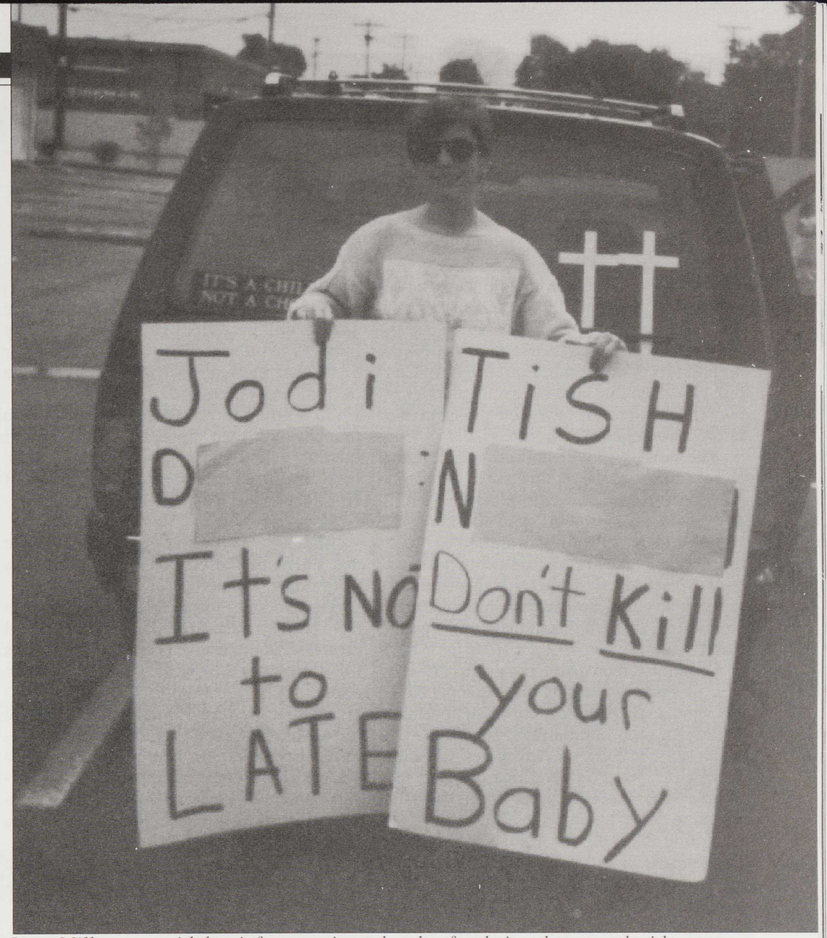
"I would be inclined to grant you your motion Mrs. Lutz if I wasn't granting the defendants their motion of Summary Disposition. Wouldn't you agree that makes your motion unnecessary?" Mrs. Lutz was forced to say "Yes your Honor."

The judge's 20 page opinion was handed out and court was adjourned.

Sharon Lutz and A.C.L.U. director and *non-lawyer* Howard Simon began to immediately attack Judge Kirwan. They said they were "shocked" and this opinion was offensive, stupid, biased, dangerous and absurd nonsense.

Simon went on to say "This case has nothing to do with abortion—or the right to protest against it. It had to do with invading the privacy of private people who are not public figures."

One of the factors in Judge Kirwans opinion is the fact that it was a third party who found the names in the abortion mill dumpster.



Lynn Mills poses with her infamous signs shortly after being threatened with a lawsuit. The controversy resulted in national news coverage.

"Their right to privacy was tossed out when the abortion clinic tossed out the medical records. The clinic breached the privacy," stated Cumbey.

Tthe U.S. Supreme Court has ruled trash isn't private in *California vs Greenwood.* The judge went on to add "further, any questionable or careless conduct on the part of the abortion clinic in desposing of their records may not be imputed to the defendants."

Mills states, "This was an isolated incident, we had knowledge of a 24 week abortion and tried to privately find the mother. We even called the police twice informing them of this late-term abortion hoping they would think it was illegal and stop it. They did nothing. The names were put on the signs in hopes that when they saw them they would come to us. Over a year later we found out in deposition that the second female was a fourteen year old who didn't want this abortion and was being forced by her mother to have it." Mills concluded "We were there the whole abortion time on that day and they never showed."

In dismissing the Public Disclosure of Private Facts the judge asked if the plaintiffs "would seriously suggest or argue that one who contemplates or schedules an abortion has committed an act that is highly offensive to a reasonable person?"

This statement by the judge shows he has a good grasp on the intent of the defendents and their state of mind by realizing the signs refer to the before act of abortion.

The judge continued "It must be remembered that the defendents, from their point of view, were attempting to save the lives of two unborn and that a large segment of the population would consider that a most noble purpose."

Mills asked "Where was the A.C.L.U. when this fourteen year old didn't want an abortion? Have they ever met an abortionist they could sue?"

The A.C.L.U. has promised to appeal accusing Judge Kirwan ignored a Michigan statute that makes it a crime to disclose a persons medical records. The A.C.L.U. has made a big deal over the judge's morality and his religion. ■