Youth attempt rescue in Birmingham

by Cathy Ramey
Virginia DeYoung and Jeremy Brightbill, contributors

Birmingham, AL—Youth rescuers, under the authority of Operation Rescue National were dissuaded from rescuing throughout most of the "Passion for Life" week sponsored by ORN in Alabama. Nearing the end of activities designed to focus protest on abortion a team was finally given permission to proceed.

On Friday, April 1, eight youth rescuers and an adult staged a rescue effort at the abortuary of Tommy Tucker in Birmingham. Tucker is the abortionist under investigation for crushing the skull of a baby after an abortion resulted in her live birth [see related story, *Woman maimed*].

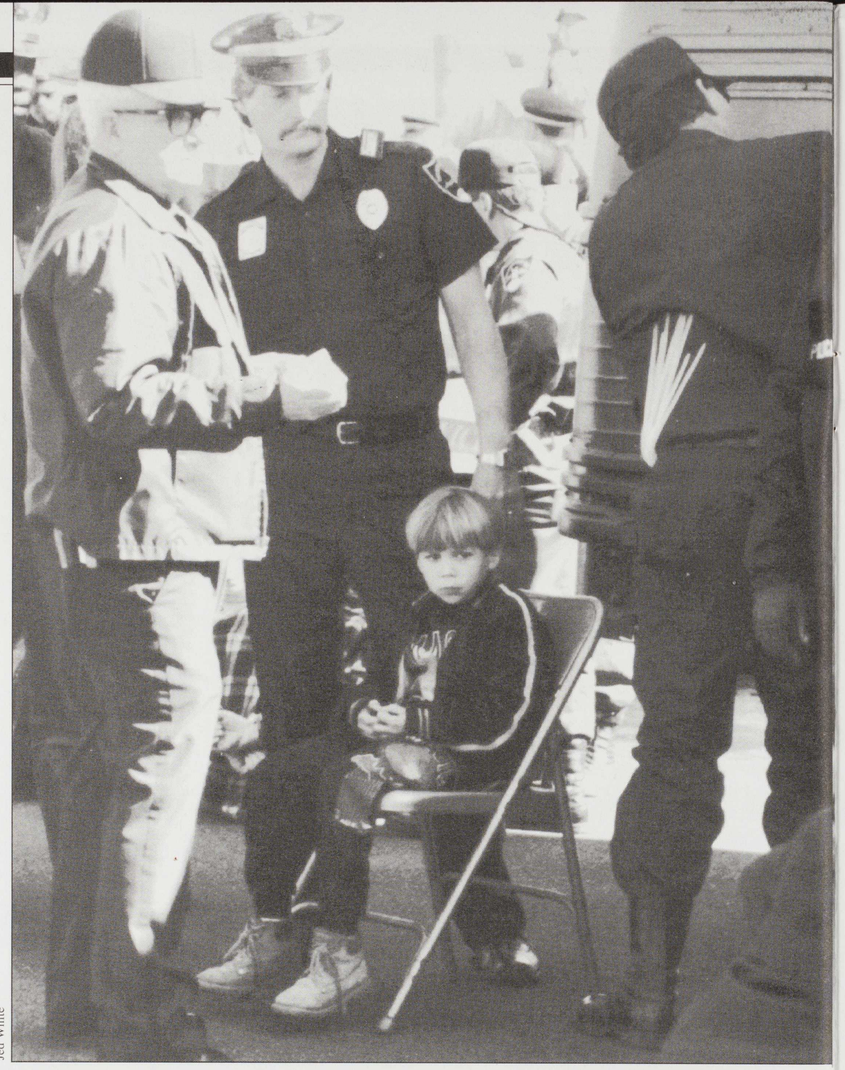
Rescuers arrived at the offices of Tucker at approximately 7:15 a.m. and initiated an effort to block despite the heavy presence of police. One adult blocked the car of a woman entering for an appointment. Other rescuers waited until police had approached and then filed in behind him linking arms in an effort to keep the car away from the mill. Police easily shoved rescuers away allowing for the car to enter the parking lot.

Virginia DeYoung, a rescuer described the scene stating, "There was a lot of pushing on the part of the cops to try to get us out of the way of the car. In the end there was basically a pile of youth laying in the driveway with cops standing all around."

Police delayed making arrests so that rescuers were able to move back across the street. Only moments later the eight youth rescuers moved back over to the sidewalk bordering the mill. All were arrested along with 24 other minors and 47 adults while praying on the sidewalk after police ordered that they leave. The violation cited was based upon a city ordinance limiting the number of persons allowed on a sidewalk at any one time during a protest to six.

A demonstration that involved approximately 80 under-age rescuers was held on March 30 at another mill when the Rev. Johnny Hunter of Buffalo, NY, led the young rescuers two-by-two in a march at abortionist Bruce Lucero's facility. Protesters were not arrested in that earlier demonstration.

DeYoung and other rescuers used the arrest as an opportunity to talk with police about the protest going on at the mill. "We were really able to witness to the cops alot on the way to the jail," DeYoung stated.



Jed White

One of the children arrested for protesting on the sidewalk in violation of an old anti-civil rights ordinance.

Four of the minors arrested were released within two hours into the custody of their parents. Four of the rescuers were held despite notarized agreements assigning guardianship to adults with whom they were traveling.

DeYoung stated that "The people at the jail would not accept the notarized papers as legal guardianship so they called our parents to tell them what was happening. Then they put us into the custody of the state of Alabama" and relocated the four to a government (DHR) office building.

"When we got there they just left us sitting in the lobby of the place. We could have just walked out at any time, there was no security," she said.

Despite legal intervention designed to free the four, Alabama DHR refused to release the rescuers without a hearing. All four were placed into a single foster home in anticipation of an early morning appointment with a juvenile judge. Families and adults who were legally responsible for the four were refused information as to the whereabouts of the foster home.

"When we got to the house," DeYoung said, "we found out that [our foster family] were Christians and that Mr. J. used to be involved in rescue! Both of our foster parents were just really wonderful people."

The youth rescuers participated in Good Friday services and were taken to court the following morning by the host family. Those released at the time of the hearing were Virginia DeYoung, Ryan DeYoung, Laurel Foreman, and Geneva Fulton. ■

Woman maimed in effort to abort

by Cathy Ramey

Jackson, MS—An abortionist with a history of legal violations injured another client while murdering her child according to Jackson, Mississippi anti-abortion activists.

Tommy Tucker, a circuit riding abortionist with four abortion facilities in two states perforated the uterus of a nineteen year old Petal woman on the eve of large-scale protesting outside of his Birmingham, Alabama mill.

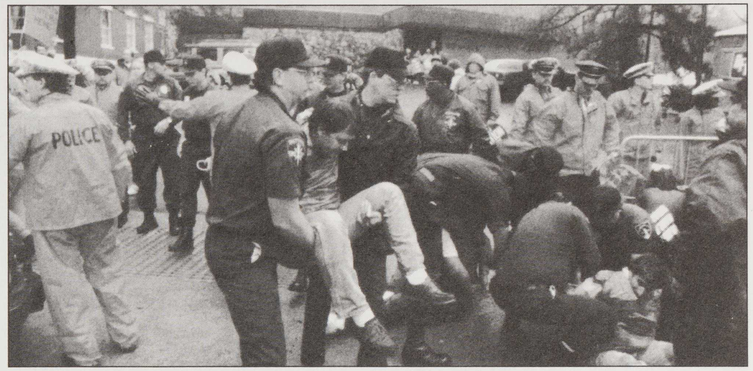
Crystal Morgan entered the Tucker facility in order to murder her 19 to 20 week unborn child early in the morning on March 26. By 8 a.m. she was rushed from the facility to Methodist Medical Center Hospital. Nearly 75 anti-abortion protesters engaged in a picket watched as staff transferred Morgan to the hospital by car. It was not clear why emergency medical personnel were not called to the scene and why the woman was moved in a private automobile.

Once at the hospital, Morgan's case was handed over to former abortionist and Tucker landlord Larry Lipscomb. After a complete hysterectomy Morgan was listed in critical condition. Hours later a second surgery to repair a damaged gall bladder was performed to save Morgan's life.

Crystal Morgan was released on Thursday, April 7.

Activists in Jackson speculate that a lawsuit will be filed against Tucker, however the specific allegations to be included in the complaint are unknown. Because of previous legal problems and because he does not carry malpractice liability insurance it is unclear whether Tucker could pay civil damages if Morgan prevails.

Lipscomb, who activists claim lobbied for Tucker to be given hospital privileges; Methodist Medical Center, which has an agreement to treat women injured by Tucker; and the Mississippi Board of Medical Licensure, which has been petitioned to revoke Tucker's medical license in the past are all possible defendants in any future litigation.



Jed White

Police arrest protesters outside Tucker's Birmingham mill.

Suspicion of care providers results in delay

Jackson activists rallied around the family of Morgan and offered support throughout the hospitalization. A legal advocacy group which encourages women injured by abortion to sue was contacted and at least two attorneys were contacted by the family. However, concern over Morgan's immediate medical condition is credited with delaying preparation of a lawsuit.

Lipscomb who made himself available to meet Tucker staff with the woman in the emergency room has ties to Tucker. As an abortionist, Lipscomb is the current owner of property rented to Tucker for his Jackson mill. Lipscomb himself only stopped doing large numbers of abortions in August of 1992 after a controversy over "medical waste." Protesters watched as he moved facility equipment into a mini-storage.

In July of '93 Tucker took over use of the old abortion facility property under a lease agreement with Lipscomb. Mississippi law requires that operators of freestanding killing centers must have an agreement with a local hospital to treat emergencies that arise at the mill. Lipscomb "spoke very highly of Tucker" and, according to a protester at the scene, "lobbied for Tucker" to be able to enter into such an agreement with Methodist Medical Center. Lipscomb is also the admitting physician for Jackson abortionist Joseph Booker.

Abortionists resent restrictions

Tucker and Booker have both been involved in active protest against Mississippi laws which prescribe how abortion killings are conducted within the state.

Booker filed suit asking that all regulations posed by state law be removed. The lawsuit which names "Pro-choice of Mississippi" as the plaintiff specifies that the filing parties include the American Civil Liberties Union (ACLU), Planned Parenthood, and the League of Women Voters.

One allegation in the Booker complaint is that Mississippi's 24 hour waiting period has dramatically increased the number of second trimester killings. The suit does not attempt to define how a 24 hour wait could account for any significant increase. There is speculation that a statistical increase may be reflected in abortion data because of a dramatic decrease in abortion overall since the waiting period became law.

Another restriction under challenge is a rule requiring all abortionists to have completed an OB/GYN residency. However, the state has not enforced the law. At least one abortionist, Thomas H. Tvedten, is known to be breaking the law.

A suit filed on behalf of a Rankin County woman alleges that a Dr. John Doe (believed to be Tvedten) caused internal injury in an attempt to abort her baby. Joyce White scheduled her baby to be killed by Tucker, however an unnamed physician conducted the procedure. Her suit asks for only $50,000 in damages and Tucker attorney Mark McKnight has alleged that the suit lacks merit because he believes "she is fully capable of bearing children."

Tucker's suit over state regulations was successfully litigated in favor of the abortionist. In the suit Tucker alleged that a restriction that prohibited abortions beyond 16 weeks in freestanding mills was unnecessary and an undue burden.

Tucker employee alleges criminal law violations

Joy Davis, an employee of Tucker's for eleven years, has made numerous allegations of medical and criminal misconduct. In a 500 page deposition Davis, who now operates Sav-A-Life pro-life office, alleges that Tucker ordered and instructed unlicensed persons to do abortions. As abortuary director and an ultrasound technician, Davis herself frequently provided services in violation of state law. Often the instruction was given over a telephone.

"I didn't know it was illegal," Davis has said of her years spent performing laminaria insertions and abortions for Tucker. "He told me he could train me as a physician's assistant and it was perfectly legal if he authorized it. He insisted it was okay."

Davis was involved in an abortion that resulted in the death of a 29-year-old woman, Angela Hall.