Mother of 8 will spend summer in jail

by Jan Stoltenberg

Judge William Robert Falke has ordered Debbie Grumbine, a mother of eight, including a seven-month-old baby, to surrender herself to the San Bernardino County Sheriff. Grumbine has received a 66-day jail sentence as a result of a Mother's Day rescue on May 12, 1990.

Although 42 individuals were arrested, there were only approximately 20 rescuers who intentionally risked arrest that Saturday back in May of 1990. Out of the 42, only ten went on to court; the others pleaded out, paying as high as a $2,000 fine. Others accepted a $500 fine as well as three years probation.

Falke required rescuers who had since moved to Colorado to come back and be present in the courtroom even though they were represented by an attorney and were not permitted to speak.

Dennis Kottmeier, the district attorney who prosecuted the rescuers, recommended the maximum sentence of one and a half years in jail. However, the pro-lifers who were there on a first offense still received 30-60 days in jail.

"There appeared to be no rhyme or reason to the sentencing," stated Judy DeVries, one of the rescuers on trial. After watching the same judge dispose probation to an armed robber and a warning to three drunk drivers, the judge refused probation to the pro-lifers.

Grumbine and the others had been out on appeal since the summer of 1991. Then in March of this year, the appeal was denied. The judge summoned them to his courtroom on April 9, Good Friday. At that time, the judge told their attorney they should be prepared to enter jail that very same day.

Grumbine asked the judge if he would reconsider and let her take probation since she now had a baby who was dependent on her to eat. He refused. She was, however, granted a short time to find child care and time to wean her baby. Also, Grumbine requested to be sent to a facility closest to her home and with the most visitation allowed, due to the fact that she had a large family. He refused this also.

It appeared as if Judge Falke was trying to make an example out of this mother, as he gave her 120 days in jail, while another rescuer, a male, with the same amount of prior convictions, only received 45 days. Grumbine had previously served 22 days, leaving her with 98, of which she will serve two-thirds beginning June 21, the day her oldest daughter Ave graduates from high school. Grumbine will have to leave her husband and eight children and report to jail for 66 days.

"I'm bummed out," said her son Anthony, 15, "but this is what happens when you rescue and save babies, and that's what God is calling her to do."

Michael, Jr., 18, remarked, "I feel really angry. I lost faith in our judicial system a long time ago, but this is just another branch to the fire. The work's going to be hard, but mostly I feel sad for my baby sister."

Arriana, 7, added, "I'm kinda nervous because it's been a long time since my mom went to jail and I don't remember it. Ave runs things differently than mom. Also, it's harder to sleep at night without mom."

Joy, who is five, spoke shyly and said, "I feel sad. I started to cry and it was so loud that the whole house heard me."

Over and over again the echoes rang out among the siblings about how they felt this was so unfair to the newest member of the family. In fact, baby Marietta, just seven months old, also was being sentenced, not having her mother for two months because her mother believes in saving babies.

Grumbine is literally losing sleep over this, as she prepares the work/chore schedules, and menus for the family. She says, "I can sleep once I get to jail, there's not much else there to do. Work is dispensed evenly, properly, and fairly according to their age and ability. For example, the older kids do the cooking, and the younger ones do the dishes."

Grumbineand her husband, Michael, have been pro-life activists since 1972. They founded the Shield of Roses in 1974, which has become an international organization. The Shield members pray on the sidewalks outside abortion clinics. The Grumbines have also become sidewalk counselors. Since 1975, Grumbine has rarely missed a Saturday, and her husband fills in for her when she is unable to be there.

As a result of the Mother's Day rescue in 1991, for which Grumbine was sentenced, there was one confirmed save, fourteen turnaways, and five women who came to know Christ in jail, just from the initial jail time, local pro-lifers report. With the new jail sentences for the rescuers, there has been an additional two babies saved and ten women coming to Christ.

Grumbine says, "The hardest thing is not seeing my baby for the whole time, because it will be easier for her [than for me, but] isn't that what motherhood is all about anyway, making sacrifices for our children?" ■

Debbie Grumbine and her family in 1989, just months before the Mother's Day arrest. Debbie lost a child as a result of police brutality at a 1989 rescue (see Life Advocate, December, 1989).

Ginsburg tapped for high court

Pro-abortion but not enough for pro-aborts

Washington, D.C. — Ruth Bader Ginsburg's views on abortion, sure to be a focal point of her Supreme Court confirmation hearings, have left pro-life activists convinced she's an enemy and some pro-abortion advocates unsure she's an ally on their side.

Ginsburg, picked by President Clinton for the high court on June 14, has criticized the 1973 *Roe vs. Wade* decision. The Supreme Court and the country would have been better off if abortion rights had been established more gradually, she has said.

But the views Ginsburg has articulated since becoming a federal appellate judge 13 years ago also suggest she is a firm believer in those rights and considers them vital to "the dignity and equality of women."

"She does not march to the pro-choice orthodoxy," said Northwestern University law professor Jane Larson. "Her contention is *Roe* would not have been as vulnerable as it was if the court had taken a different route."

Ginsburg made that clear in a speech to the New York University law school last March.

"*Roe vs. Wade* . . . halted a political process that was moving in a reform direction and thereby, I believe prolonged and deferred stable settlement of the issue," she said.

Ginsburg said the court could have adopted a theory she devised as a pioneer attorney for women's rights—that the Constitution's Fourteenth Amendment guarantee of "equal protection" requires the government to steer clear of women's medical choices if it does so for men.

Her NYU speech said the 1973 abortion ruling "might have been less of a storm center had it both homed in more precisely on the women's equality dimension of the issue and, correspondingly, attempted nothing more bold at the time" than striking down a Texas law that banned virtually all abortions.

Roe vs. Wade said abortion is a constitutional right, based on women's right of privacy.

Ginsburg's NYU speech noted that more recent rulings said the government has no obligation to pay for abortions sought by women on welfare, excluding "from the high court's protection women lacking the means or the sophistication to surmount burdensome legislation."

In a 1985 article in the North Carolina Law Review, Ginsburg sounded that same theme. Stating that the 1973 ruling would have been stronger if based on a "sex-equality perspective," she wrote: "A majority perhaps might have seen the public-assistance cases as instances in which . . . the sovereign had violated its duty to govern impartially."

The 1985 article also criticized *Roe vs. Wade* as "heavy-handed judicial intervention" that "was difficult to justify and appears to have provoked, not resolved, conflict."

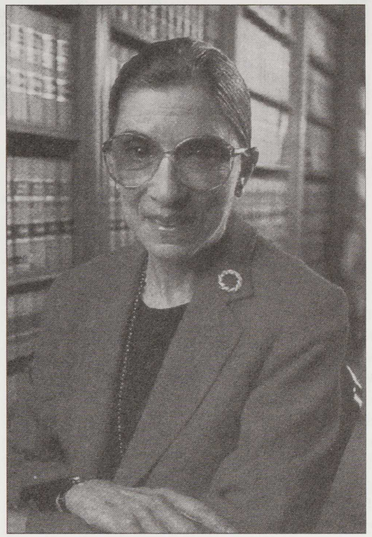
"*Roe*, I believe, would have been more acceptable as a judicial decision if it had not gone beyond a ruling on the extreme statute before the court," she wrote.

Citing the NYU speech, Kate Michelman of the National Abortion Rights Action League voiced concern about Ginsburg.

"We look forward to . . . a hearing to determine whether Judge Ginsburg will protect a woman's fundamental right to privacy, including the right to choose" abortion, said Michelman, NARAL's president.

Paige Cunningham, president of Americans United for Life, said the NYU speech criticized the 1973 decision's rationale only, not its result.

"I think it's clear that President Clinton used abortion as a litmus test," Cunningham said. Ginsburg's views on abortion "are outside the mainstream of American beliefs," she said.



Ruth Bader Ginsburg

Clinton said he had read the NYU article and had found it provocative and impressive. "I'm not sure I agree with her," he added. ■

Mill sued for assault

A Guatemalan immigrant, who speaks little English, went to a Planned Parenthood abortuary in Washington, D.C. to get birth control pills, but was instead given a suction abortion.

The woman was not pregnant at the time of the "procedure."

On February 23, the woman filed suit against Planned Parenthood Federation of America and the local DC affiliate for $11 million. The suit charges that she suffered emotional distress because of the clinic's negligence and assault.

The woman wanted to pursue the case as a "Jane Doe," but PP opposed the filing because the dispute "does not involve an abortion, or a woman's right to privacy when choosing to obtain an abortion. The female plaintiff in this case was not pregnant; the female plaintiff did not seek and did not obtain an abortion."

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PP recognizes that being caught doing an abortion on a woman who is not pregnant, who did not even ask for an abortion, is going to shatter the myth of choice; they are trying hard to take the focus off of what happened.

The woman's attorney stated, "I think they're handling a bomb and it could blow up in their faces any minute."

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