Minuteman Rescue-Chicago

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When the Lincolnwood police arrived they ordered Nelson and his wife to stop assaulting the pro-lifers. Nelson screamed at the police for not removing the rescuers quickly and threatened to get his baseball bat and beat the pro-lifers.

While the police were trying to remove the pro-lifers from the doors, the Nelsons interfered with the arrests by pushing and shoving the rescuers. The police informed the Nelsons that this was a police matter and ordered them back to their office. The Nelsons went back to their office briefly, soon to return yelling and screaming to repeat the scenario.

The Nelsons' commotion and the Lincolnwood police department's small force and slow response, both contributed to the 35 rescuers being able to keep the mill closed until 11 a.m.

In spite of their violent actions against the pro-lifers in the presence of the police, the Nelsons were not arrested during the rescue.

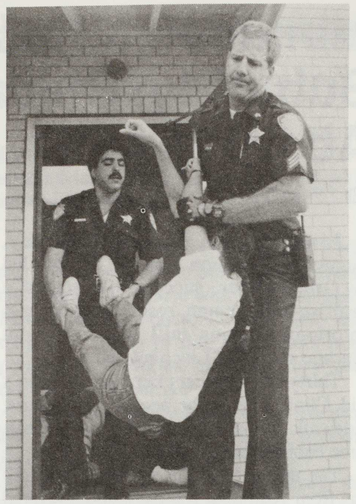
Nelson, incidentally, is no stranger to controversy. In 1978 the *Chicago Sun-Times* "Abortion Profiteers" series reported that Nelson referred women over 12 weeks pregnant to a Detroit abortionist who, according to a former patient, kept a dog in the surgical room, lapping blood off the floor. At that time Illinois law did not allow outpatient surgery centers to perform abortions past 12 weeks. Michigan law allowed outpatient abortion procedures up to 14 weeks.

The "Profiteer" series told of a school teacher who was charged $50 by Nelson for a "referral" to the Women's Aid Clinic across the hall from his office. When she went there she was informed that she was beyond the 12-week cutoff point. They refused to perform the abortion. She went back to Nelson who charged her another $50.00 fee for a referral to the Detroit abortionist.

The *Sun-Times* series also tells of Nelson's referring women wishing to put their babies up for adoption to a New York lawyer who had been indicted for "selling" newborn infants.

The Women's Aid Clinic has the distinction of being one of the oldest abortion mills in Illinois, opening just after the infamous Supreme Court 1973 *Roe vs. Wade* decision. Since 1974 the facility has been sued for abortion-related medical malpractice at least 24 times. Two women died after undergoing abortions there at the hands of Medical Director David Turow, MD, who is named in at least 17 of the 24 lawsuits. Turow, 71, is also responsible for the death of a hysterectomy patient, and a woman who died when she choked on her vomit during childbirth after Turow gave her anesthesia without checking to see when she had last eaten.

Sidewalk counselors at the rescue, armed with summary sheets of the 24 malpractice suits, copies of coroners' reports, and reprints of the *Chicago Sun-Times* "Abortion Profiteers" expose, were able to dissuade three abortion-bound mothers from entering the Women's Aid Clinic. According to Karen Schuster, who was in charge of sidewalk counseling, the women were referred to a pro-life crisis pregnancy center located nearby.



A rescuer being removed by Lincolnwood police.

Pro-lifers showed the malpractice information and the *Sun-Times* articles to the Lincolnwood police, many of whom were shocked by the scandals surrounding the Women's Aid Clinic.

Those arrested were charged with municipal trespass. By 1 p.m. everyone arrested was released without bond. Rescue leader Orin Cooper reported that six rescuers appeared before Cook County Circuit Court Judge Jerome Garoon, September 7, and had arrest warrants sworn out against Nelson for four counts of battery. Two battery charges were filed against his wife.

The September 13 issue of the *Skokie Review* quotes a Lincolnwood police officer saying that the Nelsons were not arrested during the rescue because of a shortage of manpower caused by having to deal with the large crowd of pro-lifers. Off-duty Lincolnwood police officers, as well as officers from neighboring Skokie, were called in to assist in arresting the pro-lifers.

Lincolnwood police phoned the Nelsons, who voluntarily came to the station Monday, September 10. The Nelsons were released on their own recognizance after being given an October 10 court date.

The rescuers appeared in court on September 27 and requested a trial by jury. They were given a December 17 court date at which time they will attempt to introduce the necessity defense. ■

Moody Bible Institute Radio Pastor is Pro-Abortion

Chicago, IL—In July, a popular MBI radio talk-show host shocked pro-life listeners by taking a public pro-abortion stand on his "Open Line" show. A transcript of the late-night show reveals that Pastor C. Donald Cole responded to the queries of a caller identified as Dan by first complaining that rescuers did not also try to rescue condemned criminals.

"(Rescue) does not seem to have the blessing or help from God at all," he added. "And over the course of a year or two that they have been doing this, I'd be very much interested in knowing how many babies they have actually rescued."

Cole then carried on about how "right wing people" would join rescues but were opposed to "any kind of social program calculated to relieve the misery of the poor and others who seek abortion."

The host also said,"...the rescue, in my thinking, is far more important after the child has been born."

But far more disturbing than Cole's attitude toward rescue were his comments regarding the unborn. When the caller said that the unborn was not a potential child but a child with potential, Cole disagreed. "Would you suggest to me for even just a moment that say a little blob on a pad is a human being? It is a potential human being...there's got to be a difference between that and a five-year-old child. There's simply got to be."

Those wishing to contact the producers or host over this matter may write or call: Moody Broadcasting, 820 N. LaSalle Dr., Chicago, IL 60610 (312) 329-4000 ■

Abortion Labeled As Real Issue In Trial of 8 Rescuers

Reprint from The Chattanooga Times, 9-13 & 14-90

Chattanooga, TN—The jury is finally in place and opening arguments are expected in the trial of eight abortion protesters charged with criminal trespass at the Chattanooga Women's Clinic.

But the real battle, that for public opinion, is being fought in the hallway outside the courtroom.

There—away from the watchful eye of Criminal Court Judge Doug Meyer, who has slapped a gag order on defendants and attorneys—supporters of the defendants are arguing that the issue here is abortion, not trespass.

Nobody denies that on October 27, 1989, the defendants trespassed on abortion clinic property. But supporters contend the protesters had to "choose between two evils;" trespassing, or not trespassing, "and thus produc(ing) a greater harm...the killing of unborn babies and the injury to the mothers of these babies."

September 12, the protesters' official spokeswoman, Patricia Lindley, said the deck could be stacked against the defendants.

Although Tennessee law recognizes "necessity" as a defense for criminal activity, in pretrial negotiations Meyer questioned whether such a defense is relevant in this case, according to Lindley.

"These people were trespassing in order to save unborn babies," she said. "The necessity defense is clearly relevant and Tennessee law recognizes it...It's like the judge is saying 'Well, we'll recognize some laws, but we won't recognize others.'"

"Tennessee law says you can trespass to save a life," a woman wearing a blue sweater and a nervous smile stage-whispered to a man sitting nearby. "An unborn fetus is a life."

Judge Meyer found for purposes of this case that according to testimony by a state witness, the Chattanooga Women's Clinic had performed "illegal abortions." Under that finding, he said the defense could proceed through the remainder of the trial with a "necessity defense"—attempting to show that they acted in violation of one law (trespass) to stop a greater evil.

Judge Meyer earlier had ruled out the necessity defense. But he said on September 13 that testimony that illegal actions were allegedly taking place at the clinic put the matter in a different light.

Defense attorney Hoyt Samples said the "illegal actions" were the performing of abortions on women in the second trimester. He said only hospitals are allowed under state law to perform such abortions. He said the local clinic is not a hospital, but is "an ambulatory care facility."

Virginia Moore, clinic business manager, acknowledged that the clinic performs second trimester abortions.

Prosecutors cited a ruling from the state attorney general's office that the section of state law dealing with trimester abortions is unconstitutional.

However, Judge Meyer agreed with attorney Samples that the attorney general's opinion is "only an opinion" and that the law is still on the books.

"The only question is whether the defense of necessity is permissible when illegal activities are involved. It is no longer a debatable point. Judge Douglas A. Meyer concluded that the Chattanooga Women's Clinic was involved in illegal activities, and he decided that it was a defense against illegal activities," said Samples.

"We are very pleased that a court in the state of Tennessee has finally agreed with what we have been claiming for the past four to five years." ■

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