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Pro-Life Nonprofit Works to Shutter Abortion Clinics through Better Enforcement of Existing Codes

By BRITTANY BERNSTEIN | February 11, 2022 9:31 AM



(peakSTOCK/Getty Images)

It has been almost 25 years since pro-life activist Cathie Humbarger sounded alarms with local officials in Fort Wayne, Ind., after noticing that women were

often stumbling out of an abortion clinic near her office. The events that followed continue to power her activism decades later.

It was 1998, and Humbarger had strategically situated her office right next door to the abortion facility. As she watched women leave the facility time after time, she began to question why the building did not have any wheelchair ramps. She ultimately filed a complaint with local officials saying the facility was not complying with the Americans with Disabilities Act. But officials waved her off, according to Missy Martinez-Stone, the CEO of Reprotection, the pro-life nonprofit Humbarger founded in 2020.

Humbarger continued to investigate the facility using open-records requests, and worked with a team of activists to file more than 2,000 complaints against its physician, Ulrich Klopfer, for violating state health codes that require qualified staff members, medical records, and counseling, according to Reprotection.

She discovered that Klopfer failed to report both the abortions he performed on minors, and the child sexual abuse that caused their pregnancies — a violation of state law. All of the minors involved were younger than 14, per Reprotection.

Martinez-Stone said Klopfer was forced to appear before the Indiana medical board and doubled down, insisting that he would not report in the future, either. The medical board suspended his license, resulting in the closure of three facilities in Indiana that he was running, three years after Humbarger first noticed the facility's ADA violation.

After Klopfer died, authorities uncovered the remains of 2,411 aborted babies hidden at his Illinois home and in his car.

That investigative work planted a seed in Humbarger's mind that germinated over 20 years of activism in varying roles at the Right to Life of Northeast Indiana and

ultimately led to the January 2020 birth of Reprotection, a nonprofit dedicated to catching abortion providers breaking laws and using local authorities to bring them to justice.

"Indeed, Klopfer was especially villainous, but the legal transgressions his abortion businesses engaged in are carried out daily at other facilities across America," Reprotection said in a statement.

Humbarger, who is both the group's founder and public-policy analyst, began testing out the concept of Reprotection in 2019 before officially launching one year later. The group realized quickly that pursuing cases of violations requires significant time and patience, Martinez-Stone told National Review in a recent interview.

The group began testing in Louisville, Ky., with the support of national pro-life leader David Bereit and with hopes that it could work alongside members of the existing pro-life community to investigate local abortion providers.

"But what they found was nobody has time," she said. "It's so time-intensive and meticulous that the people are busy running the pregnancy centers or sidewalk counseling or doing policy. This needed to be something that stood on its own because it takes so much time and effort and follow-up."

Reprotection is currently juggling 44 cases in 25 states. Martinez-Stone said taking on any given case means pulling historical records, gathering information on medical and other professional licenses, researching the history of health-department inspections, looking for lawsuits that may have already been filed against the provider, and interviewing pro-lifers in the area.

"We kind of cast our net really wide, get all the information we can, and then we have to sift through all of it," she said.

Finding a violation is only the first step in a long, laborious process.

The group must find what code was actually violated, who is responsible for the enforcement of the code, and what the reporting protocol is.

"The hardest part is follow-up because you're dealing with bureaucracy," she said. "The bulk of our work comes on the back end of every couple weeks or months: 'Hey, how's it going? Where's our investigation? Where's our investigation? Why have you not moved on this?'"

Reprotection has become a go-to reporting agency for many abortion patients and on-the-ground pro-life activists because the nonprofit offers a "confidential safe place" for people to bring their cases, Martinez-Stone said.

"We have trauma-informed researchers because we realize that the nature of the violations and the complaints we're dealing with are very sensitive," she said, adding that Reprotection is the official reporting group for the Sidewalk Advocates for Life organization, as well as several post-abortion ministry groups that are working with one of the country's largest pregnancy-center affiliations.

So far, the group has not had to seek out cases on its own; activists who minister outside of facilities or work with abortion patients have approached Reprotection after hearing stories of patients' experiences that raise red flags.

The most stark example was when a patient came running out of a Florida facility screaming, "Call 911!" because she was afraid for her life.

Reprotection later discovered that the patient had had a negative reaction to the anesthesia she was given, and though she voiced her concerns to the abortionist when she realized she couldn't read and was struggling to breathe, the abortionist ignored her pleas, Martinez-Stone said.

The woman gathered the strength to pull herself off the table and fled. The sidewalk counselors called 911 for her after the facility refused to do so.

Reprotection began investigating the clinic and discovered that the abortionist involved had had multiple complaints filed against him that the medical board had allegedly ignored.

“When we got involved we wrote a very, very good complaint,” Martinez-Stone said. “And [the medical board] tried to skirt responsibility.”

She continued to press the issue, refusing to let the officials off the hook. When the medical board didn’t respond, Reprotection took the case all the way to Governor Ron DeSantis’s office.

She warned the governor’s office that Florida had “abortion facilities going rogue.”

It’s not just that providers aren’t “signing some paperwork,” she said: “Women’s lives are in danger.”

Finally, the medical board opened a case against the abortionist a year later. He retired and closed his clinic the next day, delivering Reprotection its “biggest win” so far.

Reprotection has investigated several cases in which abortion providers refused to perform a follow-up exam after a procedure, leading to complications. Another facility allegedly placed ten women in a room and gave them all the abortion pill at the same time.

Building codes were seemingly the ultimate downfall of the second abortion facility Reprotection successfully shuttered last year.

“When you have states like New York, California, Illinois, that have essentially

repealed every abortion regulation, these businesses still have to follow other codes," she said, including building standards, fire codes, and Occupational Safety and Health Administration and laboratory-inspection requirements.

Planned Parenthood of Central and Western New York had planned to build a 6,389-square-foot abortion clinic at a medical business park in Brighton, N.Y., after successfully circumventing "the entire town planning-board process and zoning-committee process and the procedures required to open a medical business in this city," Martinez-Stone said.

When Reprotection brought the situation to light, the real-estate agents who owned the building revoked the clinic's lease, according to Martinez-Stone. For its part, Planned Parenthood claims it canceled its plans for a clinic because of inflation as "cost escalation from the initial estimate" left it unable to meet the financial terms of the lease.

In another instance, Reprotection discovered that an office manager in Louisville, Ky., with no applicable credentials, was being touted as a licensed social worker at an abortion facility. She was meeting with patients and having informed-consent conversations, which include going over medical risks, despite having no qualifications to do so.

Reprotection found through the Board of Social Work in Kentucky that the woman was not licensed. The board stepped in and sent the office manager a cease-and-desist order, forcing the facility to completely restructure how it was seeing patients, so that someone with the proper credentials would have those sensitive conversations with patients.

The Indiana attorney general's office sued a provider based in Florida after Reprotection discovered it was falsely advertising for facilities that did not exist, including in Muncie, Ind.

“For some reason, the abortion industry thinks that they just get this free pass from being regulated in any way,” she said. “And they don’t; they do not want to be regulated in any way. But it’s stuff that every medical professional has to follow, like informed consent and mandatory reporting and building codes. You need to be able to get a gurney through your hallways, in case there’s an emergency. This is all stuff that everybody else has to meet.”

She noted that even states with pro-life governors and pro-life legislators can leave room for malpractice.

Lawmakers believe that passing the laws is the final action needed, but in Martinez-Stone’s experience, there are people in the local agencies involved in enforcing the policies, such as medical boards and health departments, who can’t be bothered to enforce the rules.

“If Joe Schmo sitting at the health department doesn’t agree with this regulation, they’re just not going to enforce it,” Martinez-Stone said. “And then who was watching? The governor doesn’t.

“The abortion industry makes such a fuss when they’re pushed against,” she said, so it can be “easier” for officials to let violations slide.

Other times, Reprotection’s staff comes across “awful” situations that do not technically violate any laws because the legal statutes have been “written poorly,” she said.

“So I would take those cases back to legislators and say, ‘You need to fix this law because it has no teeth,'” she said, adding that sometimes legislators are willing to work with her, but other times they are uninterested because abortion reporting is not a “sexy” topic.

"They want to pass the big-named bills; they want to pass 'heartbeat' and born-alive infant protection," she said. "These ones that are really good for campaigning and have that familiarity, but when it actually comes down to numbers, those are just getting . . . stuck in court."

Laws that are blocked by the courts can't bring down the day-to-day abortion numbers, she argued.

"If you pass better reporting laws and open-records laws and tighten up your mandatory-reporting laws, we could shut some of these places down," she said. "But that's not a sexy campaign slogan."

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