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Houston doctor cleared of late-term abortion claims

By [Brian Rogers](#)

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A Harris County grand jury on Friday declined to indict a Houston doctor accused by an anti-abortion group earlier this year of performing late-term abortions.

The decision effectively clears Dr. Douglas Karpen of any wrongdoing after a months-long investigation by Harris County authorities and the Texas Department of State Health Services.

Operation Rescue released a report in May stacked with allegations of supposed illegal abortions, including grisly photographs from three people claiming to be former employees of Karpen's Houston clinic.

The report came out just days after Philadelphia physician Kermit Gosnell was convicted of three counts of murder in the deaths of three infants who had been born alive.

Chip Lewis, Karpen's attorney, said on Friday he has requested state and federal authorities investigate Operation Rescue's tactics. He also raised the possibility that Karpen may sue the group.

"This exhaustive investigation needlessly cost the taxpayers of Harris County and the State of Texas hundreds of law enforcement man-hours," Lewis said. "Those responsible for bringing these wholly unfounded allegations against Dr. Karpen will be held responsible for their crimes."

Operation Rescue fired back that the group was disappointed with the decision and the district attorney's office.

"It's incompetence, political corruption and cronyism," said Troy Newman, president of Operation Rescue. "I don't believe (the grand jurors) were presented all of the evidence in the case."

Lengthy investigation

The district attorney's office released a statement on Friday's decision saying it was the culmination of a two-month grand jury presentation in which all evidence was presented.

"Notwithstanding the outcome of this case, this office is ready and willing to prosecute doctors who perform abortions that violate Texas law," District Attorney Devon Anderson said in the

statement. "In this case, however, an independent grand jury concluded, after lengthy investigation and deliberation, that the evidence does not justify an indictment."

Newman conceded that Harris County grand jury proceedings are secret, so no one can reveal what was presented, but said Gosnell was convicted on evidence he believes was similar to the group's allegations against Karpen.

"We have pictures of children who have been killed," Newman said. "Pictures alone convicted Kermit Gosnell on first-degree murder charges, so we're going to ask (the district attorney's office) to take a second look at this."

Newman also questioned the connection between the district attorney's office and Lewis, who was been a vocal supporter of the Anderson administration.

The defense attorney held fundraisers and helped Anderson's late husband, Mike Anderson, beat the GOP incumbent last year. Anderson died in August after taking office eight months earlier. His widow, Devon Anderson, was appointed by Gov. Rick Perry to take over the office a month later.

Allegations 'baseless'

Lewis dismissed Newman's accusations of cronyism.

"That statement is as baseless as his allegations were to begin with," Lewis said. "But he'll get his chance to explain himself in the near future."

The report issued by Operation Rescue prompted Lt. Gov. David Dewhurst to demand an investigation of Karpen.

"I read with disgust about the allegations of ... Karpen performing illegal late-term abortions surrounded by appalling sanitary conditions in his clinic," Dewhurst said in May in a prepared statement.

Praise for DA's office

Late Friday, Dewhurst released a statement commending the district attorney for investigating the case and said he is confident that legislators will continue protecting Texas women and their unborn children by holding abortion providers to a higher standard.

Lewis credited the Texas Rangers and the Harris County District Attorney's Office for not bowing to "political opportunists."

"The credible evidence clearly established that Dr. Karpen has always gone above and beyond to ensure he adheres to the letter of the law in his medical practice," Lewis said.



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