

RHETORIC OVER FACT:

Inside Project Defending Life and Operation Rescue's Exploitation of 911 Calls

&

the Development of a Scare Tactic Campaign

Executive Summary

ProgressNow New Mexico has discovered that a recent public campaign by Project Defending Life ("PDL") and Operation Rescue ("OR") to publicly discredit the quality of care provided at women's health clinics in Albuquerque, New Mexico is based on questionable research methods, scurrilous anonymous accusations and intentionally misleading conclusions. The groups exploited those methods and false facts in order to create the appearance of a public health danger to advance an extreme public agenda.

In the summer of 2011, PDL & OR initiated a public campaign to erode the public's trust in the quality of care provided by a number of women's health clinics in the Albuquerque area. The campaign specifically sought to demonstrate that procedures in those clinics had led to serious injury, and in one case, the death of a patient.

The PDL & OR campaign included the publication of selected 911 calls from those targeted women's health centers. Selected calls and reports were posted on various websites and integrated into highly inflammatory YouTube-style videos created by Operation Rescue and spread extensively through anti-choice websites and newsgroups. The groups subsequently worked to place biased news stories critical of the targeted clinics and used those reports as the basis for complaints with the New Mexico Board of Medicine against medical providers working in those clinics. Finally, the groups met with Governor Susana Martinez and conservative legislators to present their alleged findings and made a plea to end access to safe and legal abortion services in New Mexico.

ProgressNow New Mexico undertook a review of the PDL & OR tactics in an attempt to validate their process and confirm their findings. Additionally, we attempted to place those findings in context by comparing them to comparable health facilities across the city.

Our investigation reveals that:

- Rates of calls for ambulance transports are far lower in the targeted women's health clinics than for similar health care facilities across the city;
- The methods used by Project Defending Life to obtain 911 records were haphazard and random, not comprehensive or scientific;
- PDL & OR used information from an "anonymous source" to allege that clinic procedures had led to at least one death at a targeted clinic. Though they provided no corroboration, and though the claim was investigated and unequivocally debunked by police, PDL and OR continued spread the allegation across the country and in the press, continuing to allow the allegation to be spread without correction.
- PDL & OR selectively manipulated data to support their own assumptions and conclusions, and timed news
 releases and their own reports to correspond with the launch of campaigns to fund their own pregnancy
 resource centers.

We conclude that Project Defending Life and Operation Rescue attempted to knowingly create the false public impression that women's health services in Albuquerque were a danger to public health in an attempt to push a political and ideological agenda, to intimidate patients and to harass medical providers who are engaged in a safe and legal medical procedure.

History

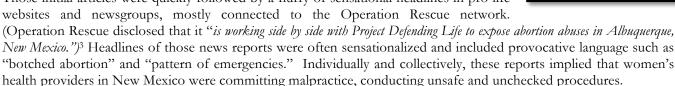
Project Defending Life is a Catholic umbrella ministry, boasting on their website that they were the first full-blown Catholic parish built purposefully next to an abortion center. Their explicitly stated purpose is to end abortion in New Mexico.

Operation Rescue and Project Defending Life have many ties. Two Operation Rescue 'interns' have moved to Albuquerque and now refer to themselves as being with Project Defending Life in some capacity. A married couple with a small child, Tara and Bud Shaver are leading the chorus proclaiming Albuquerque an 'abortion capital'. They also have arrest records related to their protest activities.

In July 2011, a series of news articles began to appear in New Mexico newspapers and online reporting that an investigation conducted by Project Defending Life and Operation Rescue "reveal[ed] a disturbing pattern of life-threatening abortion complications that routinely endanger the lives and health of women [in New Mexico]."1 Tara Shaver, a self-described leader of Project Defending Life, provided excerpts of 911 calls from Albuquerque clinics requesting ambulances to transport persons from those clinics.

Based on those allegations, Operation Rescue filed complaints with the New Mexico State Board of Medicine against three medical providers alleging "disturbing" medical practices.2

Those initial articles were quickly followed by a flurry of sensational headlines in pro-life



Among the articles which appeared over the summer and fall of 2011:

- 911 Call Reveals Another Woman Injured by Botched Abortion, www.christianliferesources.com/index.php?/news/view.php...8381
- New 911 call from New Mexico abortion clinic exposes pattern of emergencies, http://www.lifesitenews.com/news/new-911-call-from-new-mexico-abortion-clinic-exposes-pattern-of-emergencies/
- 911 Tapes Show More Women In Distress At Albuquerque Abortion Facilities, http://www.standforlife.net/2011/08/911-tapes-show-more-women-in-distress.html
- Informant Tells of Abortion Death While New Mexico Medical Board Members Obstruct Investigation of 13 Abortion Injuries, http://www.operationrescue.org/archives/informant-tells-of-abortion-death-while-new-mexico-medical-board-membersobstruct-investigation-of-13-abortion-injuries/

³ Operation Rescue, "Members of Project Defending Life Had Encouraging Meeting with Governor Susana Martinez", http://www.operationrescue.org/archives/members-of-project-defending-life-had-encouraging-meeting-with-governor-susana-martinez/, September 19, 2011



Bud and Tara Shaver stand outside the Project Defending Life headquarters i lbuquerque, New Mexico, where they be working to end abortion.

¹ Ertelt, Steven. "911 Calls Show Series of Botched Abortions, Complaints Filed", http://www.lifenews.com/2011/07/08/911-calls-shows-seriesof-botched-abortions-complaints-filed/, July 8, 2011

² http://operationrescue.org/pdfs/NM Complaint-Robinson.pdf

The themes of these stories evoke an increasing sense of urgency as both the number and seriousness of allegations advanced by PDL & OR escalate from a question about a single procedure to a "pattern of emergencies" all the way to allegations of death. They subsequently expanded their target audience to include the State Medical Board by filing complaints against the targeted physicians based on their scurrilous allegations

Media coverage of the allegations increased proportionally with the increasing sensationalism. While initial stories only appeared on pro-life and Operation Rescue-oriented websites, stories eventually appeared in the Associated Press, UNM Daily Lobo, Albuquerque Journal and on KRQE.

In August 2011, Operation Rescue posted an article claiming that, based on information from an undisclosed informant, Shaver was now investigating the death of a patient at a Northeast Albuquerque clinic⁵. OR also reported that the New Mexico Medical Board was actively investigating doctors involved in the targeted clinics.

As the severity of the allegations increase, members of PDL & OR pushed for and received meetings with senior policymakers up to and including Governor Susana Martinez where they intentionally misled those in attendance at a September 2011 meeting with their wildly exaggerated claims of patients' risk.

One article appearing on OperationRescue.org boasted of a meeting between Project Defending Life leaders, Governor Susana Martinez and New Mexico State Senator Bill Sharer and State Representative Dennis J. Roch. According to that article:

The meeting with Governor Martinez addressed concerns raised by the 911 calls and also mixed messages that came from the New Mexico Medical Board. Father Stephen Imbarrato, Founder and Director of Project Defending Life issued the following statement after the meeting: "Our concern is for the safety of women in New Mexico.

We were encouraged to hear that Governor Martinez shares these same concerns. In fact, we were thoroughly impressed that the Governor's office not only knew about the 911 calls, but had already contacted the Executive Director of the Medical Board to insure the investigation was progressing. We now have confidence that the New Mexico Medical Board is conducting a proper investigation."

Those present at the meeting are very thankful for the open line of communication with the Governor's office. The pro-life community should feel confident that the Governor's office will stay on top of these types of issues.⁶

Summarizing the PDL & OR 911 record project, Tara Shaver stated, "The reality is that on average every 10 weeks a woman is being rushed to the hospital as a result of serious injuries inflicted by local abortionists."

Operation Rescue continues to use Project Defending Life's investigation and supposed conclusions to support its positions and advance its agenda in meetings with government officials including the Governor, State Senators, State Representatives and Regents of the University of New Mexico as recently as December 2011.⁷

⁷ Operation Rescue, "Pro-lifers meet with UNM Regents over abortion involvement", http://www.operationrescue.org/archives/pro-lifers-meet-with-unm-regents-over-abortion-involmement/, December 16, 2011



⁴ Associated Press, "2 Albuquerque abortion clinics are facing inquiry", http://www.kob.com/article/stories/S2268869.shtml, September 4, 2011

⁵Operation Rescue, Informant Tells of Abortion Death While New Mexico Medical Board Members Obstruct Investigation of 13 Abortion Injuries, http://www.operationrescue.org/archives/informant-tells-of-abortion-death-while-new-mexico-medical-board-members-obstruct-investigation-of-13-abortion-injuries/, August 22, 2011

⁶ Operation Rescue, "Members of Project Defending Life Had Encouraging Meeting with Governor Susana Martinez", http://www.operationrescue.org/archives/members-of-project-defending-life-had-encouraging-meeting-with-governor-susana-martinez/, September 19, 2011

Investigating the Investigation Questionable Methodology

In October 2011, ProgressNow New Mexico began an analysis to examine the statements put forward by Project Defending Life and Operation Rescue.

Through a series of public record requests, we obtained the original six public record requests to the City of Albuquerque filed by Shaver under the New Mexico Inspection of Public Records Act. A review of those requests show that Shaver's requests were not systematic or comprehensive; in fact they resemble a fishing expedition more than a scientific review. Those requests are:

Time Period Requested	Location	Date Request Submitted
February 15, 2011 (1 day)	1701 Moon St.	June 28, 2011
January 1, 2010- June 1, 2011 (517 days)	522 Lomas Blvd NE.	June 30, 2011
January 1, 2011 - June 30, 2011 <i>(181 days)</i>	717 Encino Pl NE Ste. 14	July 1, 2011
January 1, 2011 - June 30, 2011 <i>(181 days)</i>	701 San Mateo Blvd NE	July 1, 2011
January 1, 2008 - January 1, 2010 <i>(732 days)</i>	522 Lomas Blvd NE.	August 5, 2011
January 1, 2007 - January 1, 2010 <i>(1097 days)</i>	1701 Moon St NE	August 5, 2011

These requests covered various time periods over five years, in periods of one, 181, 732 and 1,097 days at four different locations, some more than once. With the exception of duplicate requests filed on July 1, 2011 to review calls at Encino Place and San Mateo Boulevard, no other requests correlate.

For example, requests relating to the Moon Street clinic cover 2007 - 2010 and one day of 2011, while requests covering San Mateo Boulevard and Encino Place clinics cover only six months of 2011. Requests covering the Lomas Boulevard location cover 3 ½ years, from 2008- June 2011.

The haphazard way in which the inquiries were conducted does not produce any reliable data that can be used by anyone to compare or contrast calls or clinics, or discern any pattern of activity at any or all locations for any usable period of time.

Despite having insufficient data to compare various clinics against any measure of time or against each other, Shaver confidently reported that, "The reality is that on average every 10 weeks a woman is being rushed to the hospital as a result of serious injuries inflicted by local abortionists."

Apparently using the same data,

⁸ Operation Rescue, "Members of Project Defending Life Had Encouraging Meeting with Governor Susana Martinez", http://www.operationrescue.org/archives/members-of-project-defending-life-had-encouraging-meeting-with-governor-susana-martinez/, September 19, 2011



Operation Rescue reached an even more sensational conclusion saying, "These 911 recordings show that the lives of women are placed in extreme jeopardy at the shocking rate of one every three months."

Other statements about their conclusions are simply misleading at best. In an October 2011 report, Operation Rescue states, "this is the eleventh such abortion-related medical emergency at [a clinic] in less than two years, and the fourteenth reported abortion emergency overall in Albuquerque in that same time frame." In fact, PDL & OR had records going back 3 ½ years, not two.

The statement, as written, selects only the data that best supports their agenda. By ignoring the time that no calls occurred, OR creates a false sense of crisis.

Ramping up the Rhetoric

"Tara Shaver of Defending Life, the local pro-life group working with Operation Rescue, told [Life News] that she and other pro-life advocates were outside the hospital offering women abortion alternatives when they noticed the ambulance coming to the facility. That prompted her to seek out the recording of the 911 call to determine what happened to the woman in the obviously failed abortion." [July 18, 2011]

Those requests, outlined above, show first, an attempt to learn about one particular incident Shaver says she personally witnessed on February 15, 2011. Contrary to her public statements about her immediate concern for the patient, public record requests show that she did not attempt to learn about the nature of that ambulance visit until June 28, some four months later and just two days prior to the launch of a major media campaign promoting Shaver's new pregnancy resource center in Albuquerque.

A June 30, 2011 news release issued by Shaver and published at *Christian News Wire*¹², announces the opening of PDL's new pregnancy resource center. Shaver's center cites the February 15 incident as the inspiration for her new center, though she apparently had no facts about that incident until her public records request was submitted and completed just two days before her personal publicity campaign.

Copies of emails obtained by ProgressNow New Mexico through public records requests show that Tara Shaver requested and received a meeting with Albuquerque Police Department Deputy Chief Beth Paiz on August 18, 2011 to discuss "possible illegal activity at one of the abortion clinics here in ABQ." Following that meeting, DC Paiz wrote to Shaver stating,

"There were no Rescue calls to 1701 Moon during the first week of July. In fact, the only Rescue call was on Feb. 15, 2011. I do not have the details of that call, other than someone was called to the property for "fainting." We have no information about any people dying or being transported from the property due to criminal activity."

¹³ "Email between Paiz and Shaver, RE: Meeting", August 10, 2011



⁹ Operation Rescue, "Five 911 calls expose crisis of life threatening abortion injuries in Albuquerque," http://www.operationrescue.org/archives/five-911-calls-expose-crisis-of-life-threatening-abortion-injuries-in-albuquerque/

¹⁰ Operation Rescue, "Botched Abortion Crisis Deepens As New 911 Call Reveals Continuing Dangers at Albuquerque Clinics", http://www.operationrescue.org/archives/botched-abortion-crisis-deepens-as-new-911-call-reveals-continuing-dangers-at-albuquerque-clinics/, http://www.operationrescue.org/archives/botched-abortion-crisis-deepens-as-new-911-call-reveals-continuing-dangers-at-albuquerque-clinics/, October 5, 2011

¹¹ Ertelt, Steven. "Hospital upset pro-lifers posted 911 call of botched abortion", http://www.lifenews.com/2011/07/18/hospital-upset-pro-lifers-posted-911-call-of-botched-abortion/, July 18 2011

¹² "Project Defend Life Launches Pregnancy Resource Center", Christian News Wire, www.christiannewswire.com/news/9897417283.html, June 30, 2011

News reports were prolific in announcing the supposed death at a clinic in July supposedly uncovered by Shaver.¹⁴ Those allegations were based on information Shaver claims came from a confidential informant (whom she has never identified or disclosed) who had direct knowledge of the incident. However, research shows no attempts by Shaver, Project Defending Life or Operation Rescue to correct the record after being informed by police that no such death occurred.

To the contrary, at least one report appearing on September 4, 2011 in the *Albuquerque Journal* references claims by abortion opponents that a patient had died in an Albuquerque clinic.¹⁵ Online news and commentary reports posted as late as October 2011 continue to cite PDL & OR's claims of death in an Albuquerque clinic despite PDL plainly having evidence to the contrary.¹⁶ Equally concerning is the fact that PDL & OR's meeting with Governor Martinez and state legislators occurred just after PDL learned that no death had occurred, though it is not clear if they continued to share that message with the governor and others.

As already noted, despite having insufficient comparison data both PDL & OR reported that women needed emergency care at what they perceived to be "shocking" rates.

As another example, public records clearly show that PDL obtained three years of call records relating to the clinic on Moon Street, yet they have only publicly cited one call from that center (and falsely represented that to have been a death despite being told otherwise), and that occurred on a date outside of their three year review. This leads astute persons to conclude that PDL found no calls of note at that clinic for the entire period they reviewed. Yet, they never disclose this very important fact in any of their public statements, nor to the UNM Daily Lobo, Albuquerque Journal, KRQE, the Governor, investigators or other politicians and policy makers to whom they continue to promote a sensationalized news story about that very clinic.

Finally, it should be noted that PDL & OR filed official complaints with the New Mexico Board of Medicine against the medical service providers they believe are involved in the 911 calls in question. Those complaints include selected information from the selected 911 calls PDL chose to investigate. While PDL & OR state that the number of 911 calls is *prima facie* evidence of dangerous procedure, they fail to include any context for those allegations such as how the number of 911 service calls at the targeted clinics compare to other clinics in the city or even how many of the calls they examined did not relate to abortion procedures.

¹⁴ Gilbert, Kathleen. "Abortion death reported at New Mexico clinic as state officials resist launching investigation

[&]quot;, http://www.lifesitenews.com/news/new-mexico-officials-resist-investigating-abortion-mills-as-botched-abortio/, August 23, 2011

¹⁵ http://www.abqjournal.com/main/2011/09/04/news/clinics-face-medical-board-inquiry.html

¹⁶Anonymous, "13 Emergency Calls from Abortion Clinic", http://www.timmerie.com/2011/10/13-emergency-calls-from-abortion-clinic.html

Putting It In Context

ProgressNow New Mexico attempted to replicate Project Defending Life's process for investigating 911 calls from Albuquerque women's health clinics. As already noted, the hit-and-miss method used by PDL provided a snapshot look, at best, of individual calls and a timeline view of calls at a single clinic during a limited period.

Various public statements by PDL & OR reference their obtaining between 11 and 14 calls, yet they have selectively published just five. In doing so, these groups create the impression that each of the 11 or 14 calls relates to similar medical problems without actually releasing the details of those calls.

Additionally, the quantitative data presented by PDL & OR is insignificant without context to determine if the number and nature of 911 calls from clinics was normal.

In an attempt to provide some context to PDL & OR's reports, ProgressNow New Mexico obtained public records for 911 calls from five randomly selected health clinics.

In order to replicate the PDL research as closely as possible, clinics were randomly chosen from neighborhoods near clinics targeted by Project Defending Life. Additionally, clinics with a variety of medical expertise and procedures, to include conscious sedation like that used in outpatient procedures like those in women's health clinics, were selected.

Finally, to provide a comprehensive view of calls over time, we requested all 911 calls for medical assistance to those locations from the most comprehensive date period PDL used (January 1, 2008 – June 30, 2011) at the Southwest Women's Options Clinic. The subsequent responses covered 1,248 days. No medical calls were excluded.

911 Calls for Medical Assistance By Clinic Jan 1, 2008-June 30, 2011

Location	Clinic / Procedure Type	911 Calls for Medical Assistance
7788 Jefferson NE	Gastroenterology	5
4550 Eubank NE	Oral/ Dental Surgery	7
610 Broadway NE	Urology	1
7800 Constitution NE	Plastic Surgery	1
6800 Montgomery NE	Oral/Dental Surgery	7

Source: Albuquerque Fire Department Dispatch Records

A simple calculation shows that over 2 ½ years, these randomly selected clinics collectively requested 911 assistance just 21 times, and individually an average of 1.7 times per year. The average number of days between 911 calls is 59.4 days, or about once every 8.5 weeks.

To put this number in contrast, PDL & OR report that the Albuquerque women's health clinics they targeted call 911 on average once every 10 weeks (70 days) or once every 3 months (90 days).



Average Weeks Between 911 Calls to SWO Clinic: PDL claim vs. actual

Source	Average Weeks Between 911 Calls
Southwest Women's Options	10
(according to PDL)	
Southwest Women's Options	16.5
(actual data)	
All Out-Patient Surgical Facilities	8.5

As already noted, records show that PDL actually reviewed 3 ½ years of calls from AFD. If 11 calls were placed over 3 ½ years, the rate of calls is one per 90 days or 16.5 weeks, less than half the rate of other clinics, and in line with the actual data provided by the Albuquerque Fire Department.

Call records at two other clinics were also examined by PDL for 3 year and eighteen month periods. In those cases they apparently found zero calls.

This information is particularly important in evaluating the severity of complaints reported to the Board of Medicine. PDL & OR's complaints allege that "too many" procedures are requiring additional medical care, but provide no benchmark against which to measure that claim. We suggest that our method provides just a mechanism to do that, and initial data questions PDL & OR's assumption.

Bringing It All Together

Project Defending Life and Operation Rescue appear to have orchestrated a campaign to specifically undermine women's health clinics, without regard for the actual data involved. They use selected excerpts from 911 calls and dispatch records to deduce that serious injury and even death occurred in clinics where legal medical services are conducted under the supervision of licensed medical professionals. In fact, the data suggests that these targeted clinics may actually be safer than many other practices in Albuquerque.

Though other clinics in the Albuquerque area have much higher rates of 911 calls, these groups have not investigated or filed complaints against any other clinics or providers even though they claim to be concerned with patient safety.

Through the use of increasingly sensationalized stories and allegations, sometimes based on anonymous information and rumor, the groups gain increasing attention from the media and anti-choice advocates across the country. Further, they knowingly misled the public, media, governor and other political leaders with the expressed purpose of having those leaders enact legislation or change policy to close the clinics they target. By selecting the facts that best support their agenda they have created a false sense of emergency and advanced a narrative that facts do not support.

ProgressNow New Mexico's report shows that the most egregious claims put forth by PDL & OR, that of the death of a patient based on rumor and anonymous information, were factually untrue. Further, they knew that claims of a patient death were untrue but continued to purport them in the public square and made no attempt to set the record straight.

Additionally, information obtained and used by PDL & OR is insufficient to support their claims of a "pattern" of activity and provides no context for how often persons undergoing medical procedures in clinics across the city require additional medical assistance. In fact, when placed in proper context, the targeted clinics and providers demonstrate a pattern of patient safety that is greater than many others in the community.

When compared with randomly selected clinics, across a larger and more comprehensive period of study, we see that the targeted clinics actually request assistance at a much lower rate than many other clinics - at a rate of just 1/4 of some of those analyzed.

Taken together, the evidence suggests that Project Defending Life, in concert with Operation Rescue, have created and advanced a campaign based on their own set of distorted half-truths and unsupported conclusions to discredit safe, legal and legitimate clinics and doctors in New Mexico and to intimidate patients and providers seeking and providing women's health care for the purpose of advancing their stated ideological mission to eliminate access to abortion in New Mexico.

Line by Line

CLAIM: "A total of 14 calls for emergency medical assistance were placed to 911 dispatchers by Southwestern Women's Options (SWO) and the University of New Mexico Center for Reproductive Health (UNMCRH) over a 35-month time frame between November, 2008, and September, 2011." —Cheryl Sullenberger, Operation Rescue

FACT: 11 calls for medical assistance were placed from Southwestern Women's Options and 3 were placed from UNMCRH, though the actual time studied by PDL/OR was much longer (42 months), not 35. By selectively choosing the data they used, they presented a misleading picture of the actual situation.

PDL has never published all of the 911 calls and dispatch records from the remaining calls to show that they too were procedure related (at least one was apparently fainting related according to police), nor did she note that in the other 4 clinics she studied, there were no calls for assistance.

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CLAIM: "The reality is that on average every 10 weeks a woman is being rushed to the hospital as a result of serious injuries inflicted by local abortionists." - Tara Shaver, Project Defending Life

FACT: The haphazard way in which PDL obtained 911 records from the city of Albuquerque makes it impossible to determine how often 911 calls for assistance come from all clinics providing women's health services in Albuquerque.

However, data provided by the Albuquerque Fire Department to Shaver reported that 14 calls were placed over 3 ½ years. The rate of calls could be calculated at one per 90 days or 12.8 weeks, far lower than other clinics, and in line with the actual data provided by AFD.

Finally, Shaver was told by the Albuquerque Police Department that at least one of those calls was not for an abortion-related complication, but from a routine fainting. Shaver continued to spread her version despite its having been debunked.

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CLAIM: A woman died in an Albuquerque women's health clinic as a result of an abortion procedure.

FACT: The claim was investigated by police and no such incident occurred. Shaver continued to spread the story to the press despite knowing otherwise.

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¹⁸ Operation Rescue, "Members of Project Defending Life Had Encouraging Meeting with Governor Susana Martinez", http://www.operationrescue.org/archives/members-of-project-defending-life-had-encouraging-meeting-with-governor-susana-martinez/, September 19, 2011



¹⁷Sullenberger, Cheryl, http://www.lifenews.com/2012/01/27/abortion-clinics-in-new-mexico-injure-women-with-no-oversight/, Jan. 27. 2012