



Written by [Dave Bohon](#) on January 2, 2012

Late-Term Abortionists Charged with Murder in Maryland

Two doctors who traveled to Maryland to perform late-term abortions have been arrested on multiple murder counts, in what the Associated Press called an “an unusual use of a law that allows for murder charges in the death of a viable fetus.”

Police took Dr. Steven Brigham into custody December 28 in New Jersey, while Utah authorities arrested Dr. Nicola Riley (left) in Salt Lake City, where she is awaiting extradition.

The two doctors were indicted by a grand jury following a nearly year-and-a-half investigation that began after a botched abortion at Brigham’s Elkton, Maryland, clinic near the Delaware border.



According to documents filed by medical regulators, an 18-year-old woman who was 21-weeks pregnant suffered a ruptured uterus and other internal injuries while under the care of the two doctors. But instead of calling 9-1-1, Riley drove the woman to a local hospital, where, according to documents, both she and Brigham refused to cooperate with medical personnel. Investigators searching Brigham’s clinic found a freezer containing 35 late-term, pre-born babies, including one estimated to have been aborted at 36 weeks — or nine months.

The 55-year-old Brigham has been charged with five counts of first-degree murder, five counts of second-degree murder, and one count of conspiracy, while Riley, 46, is charged with one count each of first- and second-degree murder and one count of conspiracy.

“Maryland is one of 38 states that allows murder charges to be brought against someone accused of killing a viable fetus,” reported the *AP*. “The 2005 state law has so far only been used for cases in which defendants were accused of assaulting or killing pregnant women.” While the law allows a person who intended to kill a pre-born baby, or who wantonly disregarded its safety, to be charged with murder or manslaughter, the statute does not apply to doctors lawfully administering medical care, nor does it disallow a woman to abort her baby.

Ellis Roberts, the state’s attorney prosecuting the pair, called the case “uncharted territory,” telling reporters that they would “hear our explanation” of the charges once attorneys for the abortionists had a chance to examine the indictments.

Investigators in the case explained that when a woman would come to Brigham’s clinic for a late-term abortion, he would begin the procedure in New Jersey, but would then have the woman drive about 60 miles to his facility in Maryland, which has more lax abortion laws, to complete the abortion.

In Maryland, abortionists are allowed to ply their deadly trade on pre-born babies up to approximately 23 weeks into a pregnancy — the point at which most “fetuses” are considered viable — and after that only to “protect the life or health” of the mother, or if the doctor determines the baby suffers from



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“genetic abnormalities.”

After the botched abortion, medical regulators in Maryland ordered Brigham to stop his abortion practice, for which he is not licensed, and the state suspended Riley’s medical license. In addition, New Jersey authorities suspended Brigham’s medical license there and are in the process of revoking it permanently.

According to the [Salt Lake Tribune](#), while Maryland suspended Riley’s medical license in August 2010, “she continues to have an active license to practice medicine in Utah.” However, reported the paper, “she can no longer perform abortions in Utah, under a February agreement with state licensing officials. And in August this year, she was ordered to pay a \$10,000 fine for misleading officials about her criminal background when she applied for a Utah medical license in 2004.”

Troy Newman of [Operation Rescue](#) said that efforts by the pro-life group were instrumental in the charges being brought against the two abortionists. “We have worked for over a year to make sure Brigham and Riley were brought to justice,” said Newman. “We kept the story in the public eye, and followed up with police and prosecutors. This is a victory for the pro-life movement.”

Attorneys for the abortionists expressed disapproval that their clients were jailed after the indictments, arguing that neither one was a flight risk. Brigham’s attorney, C. Thomas Brown, pointed out that his client had cooperated fully throughout the investigation, adding, “I had an agreement with the state’s attorney’s office that if Dr. Brigham was charged, he would voluntarily come to Maryland to surrender. For reasons unknown to me, the state did not honor that agreement....”

Riley’s attorney, Sharon Krevor-Weisbaum, said that the murder charges against her client were “without merit,” and insisted that it is “inappropriate for her to be held without bond. She is not a flight risk and she should be released on her own recognizance.”

But Father Frank Pavone of the pro-life organization [Priests for Life](#) disagreed. “These two individuals are now where they belong and should be in jail for the rest of their lives,” he said in a statement. “Even those who believe abortion should be legal can join with us to stop the out-of-control practices of people like Brigham and Riley.”

Photo of Dr. Nicola Riley provided by the Salt Lake County Jail: AP Images



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