



July 18, 2013

Sam P. Gulino, MD
Chief Medical Examiner
Medical Examiner's Office
321 S. University Avenue
Philadelphia, PA 19104

To Mr. Gulino:

We write on behalf of Reverend Patrick Mahoney, Director of the Christian Defense Coalition; Michael McMonagle and John Stanton of the Pro-Life Union of Southeastern Pennsylvania; Kristan Hawkins, President of Students for Life; Bryan Kemper, Director of Stand True; Father Frank Pavone, National Director of Priests for Life; Georgette Forney, Cofounder of Silent No More Awareness and President of Anglicans for Life; Janet Morana, Cofounder of Silent No More Awareness; and Dr. Theresa Burke, Founder and Executive Director of Rachel's Vineyard.

As a group, we call on the Medical Examiner's Office to make public the current location of the bodies of Dr. Kermit Gosnell's victims, as well as their intended disposition. Further, we ask for the release of the bodies to well-intentioned, peaceful community members who will ensure that they will be properly buried.

The public deserves to know where the bodies are.

First, the public must be told where the bodies currently are. This is particularly relevant where the unclaimed victims are related to such a public, notorious criminal prosecution, followed closely by the media in all respects. As a city official, the Medical Examiner must answer to the public, and we stand for the citizens of Philadelphia in seeking an answer to this most basic question: where are the children?

We also call for substantiated, public assurances that the bodies of Gosnell's victims will be afforded equal protection and treated in the same way as any other body until such time as they are released for proper burial. The criminal prosecution of Gosnell led a jury of his peers to determine that at least some of the babies whose bodies are, we believe, still in your care, were murdered; that is to say, that they were living human persons whose lives were prematurely cut short by the direct and willful actions of a malicious individual. The bodies you have are the remains of human beings like any others in such cases, and are equally deserving of respectful treatment after their death.

Neither the singularly cruel death to which they were subjected, nor the subsequent media scrutiny, changes that fact: they were innocent human beings, and they deserved protection – not death, and not to be thoughtlessly discarded like medical waste. Simply put, you can't murder mere tissue.

The bodies of Gosnell's victims should be released for proper burial.

Proper burial is the right thing to do, for the human dignity of the babies themselves, for the healing of post-abortive women, and for the future and conscience of Philadelphia and the nation.

These babies, as persons of equal human worth and dignity, deserve the same chance at a proper burial as anyone else – the same as, for example, the Laurel Hill 1500.¹ This is what a civilized society does with its dead. The actions of a killer do not affect a person's innate worth; they inject a quest for justice, rather than shame, into the community's mourning. Philadelphia has been caused enough grief by the criminal, inhumane acts of Gosnell; we are asking you not to allow them to bleed into Philadelphia's future.

Post-abortive women are often left with intense, unresolved grief even decades after their abortion.² Just as anyone who has experienced a pregnancy loss, what little comfort is available often comes in the form of a memorial.³ Memorials following pregnancy loss are supported by the Obama Administration,⁴ the Mayo Clinic,⁵ and the March of Dimes,⁶ among others. Whole ministries are devoted to providing post-abortive women, men, and families with the memorial – and healing – they never had, and affirming their grief; these include Signatories Silent No More Awareness and Rachel's Vineyard. Perhaps not this month or even this year, but the very mothers whose children were killed at the hands of Gosnell may one day find comfort in knowing that their

¹ http://articles.philly.com/2010-09-30/news/24978068_1_proper-burial-unclaimed-bodies-vaults

² K. Dykes et al., *Long Term Follow-up of Emotional Experiences after Termination of Pregnancy: Women's Views at Menopause*, 29 J. OF REPROD. AND INFANT PSYCH. 93 (2011).

³ Numerous studies have demonstrated this principle, including:

- N.B. Buckles, *Abortion: A Technique for Working Through Grief*, 30 J. AM. COLL. HEALTH ASSOC. 181 (1982) (in which the head of a state university's student counseling center describes her methods of helping female students with unresolved grief, including activities that allowed the women to memorialize their children lost through abortion)
- Kenneth McAll & William P. Wilson, *Ritual Mourning for Unresolved Grief after Abortion*, 80 SOUTHERN MED. J. 817 (1987) (describing the effectiveness of a memorial service in helping women and their families to resolve psychiatric problems occurring after an abortion)
- Susan Layer, *Postabortion Grief: Evaluating the Possible Efficacy of a Spiritual Group Intervention*, 14 RES. ON SOCIAL WORK PRACTICE 344 (2004) (examining abortion recovery programs that included a memorial service, and finding that the programs helped reduce grief and shame)

⁴ <http://womenshealth.gov/pregnancy/you-are-pregnant/pregnancy-loss.cfm#b>

⁵ <http://www.mayoclinic.com/health/pregnancy-loss/PR00098>

⁶ <http://www.marchofdimes.com/loss/remembering-your-baby.aspx>

children were properly cared for, and experience healing by visiting their child's final resting place.

Philadelphia, too, deserves a moment of healing, a place to repair its wounded spirit. Just as with any public tragedy, the community needs a way to come to terms with the past and look to the future with renewed hope and resolve. Gosnell shocked Philadelphia's conscience; it is time to remember and move forward.

The policy of your office, as stated on your Frequently Asked Questions web page, is that "Anyone, including friends and neighbors, may claim a body . . ." The groups we represent *are* those friends and neighbors. We write on behalf of Philadelphia residents who are heartbroken at the thought of murdered children being abandoned to a resting place just as cruel and lonely as their all-too-brief lives. These organizations represent Philadelphia, and ask only for a proper burial for these youngest victims. They propose a simple, respectful, interfaith memorial and burial for the bodies Gosnell left in his wake. It is time for the spectacle to end and for the tiniest victims to be simply laid to rest.

We respectfully call on you now to disclose the current location of the bodies, and to release all Gosnell's victims for proper burial by a community in mourning. Gosnell may already have been convicted, but true justice requires nothing less. The favor of a reply within seven (7) calendar days of the date of this letter is requested.

Sincerely,

A handwritten signature in black ink, appearing to read 'Catherine Glenn Foster', with a large, stylized flourish extending to the right.

Catherine Glenn Foster
Litigation Counsel
Alliance Defending Freedom

cc: Interested Parties