

No state charges in Charities abortion case; federal inquiry ongoing

RICHMOND, Va. - Richmond Commonwealth's Attorney Michael N. Herring said he will not bring charges against a Catholic Charities worker who signed a consent form for an abortion performed on a 16-year-old Guatemalan in foster care.

Herring made the announcement July 16, saying the Commonwealth Catholic Charities employee and others working with her believed they had the authority to sign the consent form. Virginia law requires that a parent, legal guardian or person acting in the place of a parent sign the consent form before a minor receives an abortion.

Although the Charities staff member did not have legal authority to sign the form, there was no criminal intent, Herring said. "She truly believed she was doing an appropriate thing at the time," he added.

Judie Brown, president of the Virginia-based American Life League, had urged Herring to begin the investigation, saying in a July 7 letter that "one or several employees is alleged to have fraudulently signed parental consent forms" for the Jan. 18 abortion.

Brown expressed disappointment at Herring's decision and said it "exposes the flaws in the Virginia parental consent law."

"While we are terribly disappointed, we plan to pursue measures through the Virginia Legislature this coming year to right this tragic wrong," she added.

Meanwhile, the inspector general for the U.S. Department of Health and Human Services was exploring whether any federal laws were violated by the abortion. The use of federal funds to pay for abortion is prohibited, except in limited circumstances.

Kenneth J. Wolfe, acting deputy director of the Office of Public Affairs in the U.S. Department of Health and Human Services' Administration for Children and Families, said July 18 that the inspector general's investigation was continuing and he could not comment on the Richmond case until that was completed.

The four Commonwealth Catholic Charities employees who helped the minor with the abortion or with obtaining a contraceptive device have been fired, and an employee of the U.S. Conference of Catholic Bishops' Migration and Refugee Services charged with supervising them was suspended.

Bishop Francis X. DiLorenzo of Richmond apologized "for the loss of the life of one of the most vulnerable among us" and said "the guilt and depression that many of us experience as a result of the behavior of a few is something that we will bear for a long time to come."

Bishop DiLorenzo was notified about the abortion the day before it occurred and "was very explicit in saying, 'I forbid this to happen,'" according to a July 1 statement by Joanne D. Nattrass, executive director of Commonwealth Catholic Charities.

However, "based on erroneous and incorrect information provided to Nattrass, the bishop was told it could not be stopped," the statement said.