

The Saga of the South Carolina Abortion Clinic Regulation Act

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Pro-life laws, even if successfully enacted, usually have a long and eventful history, complete with long court battles. The South Carolina Abortion Clinic Regulation Act is an especially striking example. It was signed into law back in January of 1995, but its story goes back to at least five years earlier, and it is full of unexpected twists and turns.

EARLY PRECURSORS

So far, I have been able to trace the saga back to the 1989-1990 legislative sessions, when the pro-life movement scored its first real victory with a parental consent law. It was signed by then Governor Carroll Campbell on March 1, 1990. The same day, an informed consent law finally was approved by a subcommittee of the SC House, far too late to have any hope of passage in that session.¹ [Sessions last little more than five months each year, and bills have to make it all the way through both houses of the Legislature in two sessions. After each election, they have to be introduced as if they were new bills.]

If memory serves, there was also a clinic regulation bill floating around somewhere in the Senate, but making even less progress. Large parts of both bills were destined eventually to become part of the Abortion Clinic Regulation Act, but they had a rocky road ahead. The informed consent bill, for example, had the kinds of provisions (waiting period, fetal development information, information on alternatives to abortion, and hazards of abortion) that were destined to be declared constitutional in *Casey v. Planned Parenthood*, but that never stopped the abortion rights proponents from using all kinds of legislative tricks

¹ *Greenville News*, March 1, 1990, p. 1C.

to stall such bills.

The informed consent bill was re-introduced in the House in the 1991-1992 sessions, but public attention was mostly drawn towards a far more dramatic bill introduced by S.C. Representative David Beasley, later to become Governor of South Carolina (1995-1998). This, the Human Life Protection Act, would have banned all abortion except to save the mother's life. These were heady days for the pro-life movement, in the wake of the watershed 1989 Supreme Court decision, *Webster v. Reproductive Health Services*, when it seemed to many as though one more Supreme Court decision might consign *Roe v. Wade* to the dustbin of history.

The Beasley Bill, as it was widely called, was eventually voted down by the House Judiciary Committee. The informed consent bill was held up for a long time, until the pro-life lobbyists learned that the opposition was afraid that the Beasley Bill would be tacked on as an amendment. Once the pro-life legislators and lobbyists agreed not to propose such an amendment, the bill was soon brought to the floor of the House and passed by a three-fourths majority despite the insistence of abortion-rights lobbyists that it was "unconstitutional." Too much time had gone by, however, and it only made it through one Senate subcommittee hearing before the session was over, and the whole process had to be started from scratch after the 1992 Fall elections.

Two who testified in the House and Senate in 1991-1992 were destined to play prominent roles in South Carolina. Lisa van Riper, a spokeswoman for the Upstate Coalition for Life, would be appointed by Governor Beasley to head up the nationally award-winning South Carolina program, Putting Families First, 1995 through 1998. She is now President of South Carolina Citizens for Life, the state affiliate of National Right to Life.

Ironically enough, Beasley also appointed a lobbyist for the misnamed abortion rights group, South Carolina Family Research Foundation, to a prominent educational committee, apparently forgetting who she was. This lobbyist, Inez Tenenbaum, was to use this post as a springboard for a successful campaign to be the State Superintendent of Schools and then made a strong run for the U.S. Senate in 2004, garnering more votes in South Carolina than Kerry did against Bush, but still losing to Jim DeMint. Tenenbaum might well have won were it not

for her extreme views on, and active lobbying against, the informed consent bills of both 1989-1990 and 1991-1992. Already on March 1, 1990, she was quoted as calling the informed consent bill “a blatantly unconstitutional” effort to “heighten [a woman’s] anxiety and subject her to more stress.”²

One lesson to be learned from this is how important it is to keep track of who the lobbyists for abortion are. One scenario that occurred to me in 2004 was Beasley winning the Republican primary for Senate [he actually got a plurality, but lost to Jim DeMint in the runoff] and then being defeated by Tenenbaum [who had no real opposition for the Democratic nomination] in November. This would have been a perfect illustration of the Aesop fable of the eagle who, on being shot down by hunters, noticed that the arrow was tipped with some of its own feathers.

THE GREAT CATALYST

The outlook for the clinic regulation bill seemed even more bleak, to judge from a July 19, 1992 article in *The State*, Columbia’s only major daily newspaper. It said that the Department of Health and Environmental control [DHEC] had recommended regulations, but “the report never went further than the agency.... The reason? DHEC, like other agencies, didn’t think it had the authority to make clinics a priority.”

But the turning point was just four months away. Ironically, we may have the callousness of the late Dr. Jesse Johnce Floyd, the notorious Columbia abortionist who ran several enormously successful Ladies’ Clinics, to thank for the fact that the bill made it through the State Legislature in 1993-1994.

Floyd gained national notoriety many years ago in a case that was taken all the way to the U.S. Supreme Court. Of that famous case, there

² Ibid.

is an account in *Abortion: The Silent Holocaust*.³

In the summer of 1974, the liberty to kill living and born babies was given further legal sanction in the case of Dr. Jesse T. [sic] Floyd, of Columbia, South Carolina. Dr. Floyd aborted what seemed to be a seven-month-old baby. The mother of this child had paid \$250 for an abortion, and the abortion was caused by an injection of prostaglandins. The baby boy, marked for death, was born alive and lived for twenty days. He apparently died from injuries that were caused by the prostaglandins.

The legal milestone of this case is that the judge, Chief Circuit Judge Clement Haynsworth, held Dr. Floyd innocent without trial. In his judgment, Haynsworth assumed that the baby boy who lived twenty days had not been a viable fetus because he had not lived indefinitely.

Occasionally, one still hears claims that abortion history might have been totally different, had Haynsworth's nomination to the Supreme Court not been rejected by the Senate, for this rejection was followed by the elevation of Harry Blackmun to the Supreme Court. But this bizarre ruling, coming after *Roe v. Wade*, suggests otherwise. It is indeed doubtful that Haynsworth could have been any less pliant in the hands of Justice Brennan, the real mastermind of the ruling in *Roe v. Wade*, than Blackmun was.

³ John Powell, S.J., *Abortion: The Silent Holocaust* (Allen TX: Argus, 1981), p. 52.

Of course, the State of South Carolina appealed Haynsworth's bizarre ruling to the U.S. Supreme Court, and on March 5, 1979, the Supreme Court vacated the lower court ruling,⁴ criticizing Haynsworth for misreading the Supreme Court rulings on the concept of "viability." The case was remanded to South Carolina, where it "died" not long thereafter due to the difficulty of obtaining witnesses, some of whom had moved away in the intervening five years.

And yet, the baby boy did not die in vain. A few years later, an article in *The Philadelphia Inquirer* related how this case "chilled the climate" for second and third trimester abortions in South Carolina. They account for less than one percent of all South Carolina abortions, while the nationwide figure is about ten percent. Similarly, the deaths of numerous other victims of Floyd set in motion an odd chain of events that led to the successful passage of the clinic regulations.

It began in November of 1992 when two employees of the Ladies Clinic in Charleston filed reports with DHEC. The employees, Celeste Danish and Lori Saunders, revealed that Jesse Floyd was using a kitchen garbage disposal to grind up the bodies of aborted babies, some past the twelfth week of development, and to flush these human remains into the public water system.

Because SC state law did not regulate first-trimester abortion centers, DHEC's ability to investigate the workers' complaint was limited to possible violations of the Hazardous Waste Management Act. But Danish and Saunders also reported the goings-on to Charleston's CBS affiliate Channel 2, which aired a three-part series exposing the allegations against Floyd. A transcript is given in the following section, featuring footage of one reporter attempting twice to interview Floyd and being ordered off the property, and excerpts from interviews with Saunders, Danish, a DHEC official, a State Health Department official, and State Senator Glenn McConnell.

⁴ *Anders v. Floyd*, 440 US 445.

THE I TEAM REPORTS

This section provides a transcript of most of three newscasts given by the "I Team," a team of Channel 2 (CBS-Charleston SC) reporters. The only things left out are irrelevant general comments about the abortion issue, and repetitions of scenes from earlier broadcasts. The first newscast began with two I Team members, Leslie Lyles and Dan Ashley, in the studio speaking directly into the camera.

Dan Ashley: Workers at a Lowcountry abortion clinic have stepped forward to tell me horror stories about what they say is happening inside an abortion doctor's clinic.

Leslie Lyles: Many of you have called concerned about the subject of this report, so we want to warn you that some of what you will hear may be upsetting.

Ashley: Now you will not see any graphic pictures, only hear disturbing descriptions; but nonetheless you may want your children to leave the room.

Lyles: Tonight Dan begins a special I Team investigation into the Ladies' Clinic of Dr. Jesse Floyd.

Ashley: Dr. Floyd operates an abortion clinic on Rivers Avenue in North Charleston. I want to make it very clear that this is not a story about the issue of abortion, pro or con. This *is* a story about shocking allegations made by former employees of Dr. Jesse Floyd.

There followed a sequence on how controversial abortion is, featuring newsclips, after which came a scene showing Jesse Floyd entering the Ladies' Clinic.

Ashley, off-camera: For all sorts of reasons, women turn to the Ladies' Clinic in North Charleston to end their pregnancies. The clinic is operated by Dr. Jesse Floyd, a Columbia-based gynecologist. Every Wednesday and Friday afternoon, he drives to Charleston to operate his clinic and to perform abortions.

[Cut to a scene showing Lori Saunders being interviewed.]

Ashley, in voice-over: Lori Saunders says she worked for Dr. Floyd for about a year. She says she started as a lab technician but ended up working in the termination rooms, where the abortions are done. It was back in those two

termination rooms that Lori says she saw things that disturbed her.

Ashley, speaking to Lori: Tell me about the way the, the, the fetuses were disposed of dur...after the abortion.

Saunders: They put it in a colander just like you'd strain your rice, and swish it around and put it down a disposal and turn this disposal on.

Ashley, in voice-over: Lori says the disposal wasn't any sort of special equipment, but an ordinary garbage disposal like you have in your home.

Saunders: It wasn't as bad when it was just, like, tissues and stuff. But when it got to be bones and stuff and it was, like...that's what really turned me against it.

Ashley: Describe what you've seen.

Saunders: I've seen a leg about as big as my pinkie, and a little tiny foot on the end of it. And that kind of, like, really did it for me. That was it. I couldn't take any more after that.

Ashley, in voice-over: Lori says that shortly after that, she quit working at the Ladies' Clinic.

[Cut to an interview with Celeste Danish.]

Ashley: Just so people understand, this is not something you, you've heard happened.

Danish: No, it's something I saw; something I did myself.

Ashley, in voice-over: Celeste Danish said she quit her job at the Ladies Clinic this summer, after only working there for a month.

Ashley, to Danish: Tell me what you do after the abortion.

Danish: Hand the doctor the jug with what was taken out of...the female. He'd dump it in a strainer and he'd look, and he'd dump it in the garbage disposal, and then he'd leave the room and I'd turn the garbage disposal on, and rinse out the jugs and everything.

[Cut to a scene showing the Ladies' Clinic, with Ashley narrating in the foreground.]

Ashley: Celeste says one day while working in the Ladies' clinic she saw something that was the last straw. She says she was flushing an aborted fetus down the disposal when she recognized what was a fetus's leg. That was the day she quit.

[Return to interview with Danish]

Ashley, in voice-over: Celeste says she used to work at an abortion clinic in Massachusetts.

Ashley, to Danish: They did not put the fetal tissue down the garbage disposal.

Danish: No, no, not at all. Nothing went down the garbage disposal. Especially not anything contaminated with blood or body fluids.

[Cut to previous scene.]

Ashley: We wanted to ask Dr. Floyd about some of the allegations being made about how he runs his abortion clinic. He didn't want to talk to us.

Ashley, walking up to Jesse Floyd: Dr. Floyd! I'm with Channel 2 here in Charleston. I wonder if I could ask you a question.

Jesse Floyd, walking away: No-o-o-o-o! ha ha ha ha ha ha ha.

Ashley, following him: Why do you dispose of fetuses in the sink?

Floyd, walking into the clinic and slamming the door: Get the hell out of here!

Ashley, talking through the door: I'd just like to ask you a couple of questions. Why don't you answer the questions?

[From inside, Floyd shouted "I said get out!" and slammed an inner door, then continued shouting, with words "private property" and "arrested" audible.]

Ashley: I just have a couple of questions to ask you. I'd just like to know why you dispose of fetuses in the sink. Is that according to DHEC regulations?

Ashley, back in the studio: Now you should know that I spoke with a respected obstetrician who told me that what Lori and Celeste claimed they saw was entirely possible. The obstetrician told me that by the 12th week of pregnancy the fetus is well developed—developed enough for arms and legs to be completely recognizable.

Tomorrow, as this investigative I Team series continues, you will hear what health officials have to say about the allegations that you've just heard. Also, I'll have another chance to question Dr. Floyd. Hope you will join us tomorrow.

[The second evening's report began with preliminary comments and news clips similar to those at the beginning of the first evening's report. The Ladies' Clinic was then shown from a distance.]

Ashley, off-camera: Every year, for a variety of reasons, thousands of women choose to end a pregnancy. For most, it is a very difficult decision. Many women have their abortions at clinics like this one in North Charleston. You'd never know the Ladies' Clinic on Rivers Avenue was a medical building. There's only a small sign, and it is sandwiched between a pawnshop and an adult bookstore.

Every Wednesday and Friday afternoon, Dr. Jesse Floyd arrives at his clinic. Dr. Jesse Floyd lives in Columbia. He travels to this clinic in North

Charleston. He also operates a clinic in Columbia and one in Greenville. In his years as an abortion doctor he has seen a lot of controversy.

In the early 1970s, Dr. Floyd was accused of raping a student nurse in a Columbia hospital. The charges were later dropped. In 1975, Dr. Floyd was indicted on charges of murder and performing an illegal abortion, for aborting a third trimester fetus. The fetus [*sic*] lived for three weeks after the abortion. Those charges were also dropped. And Dr. Floyd is now involved in a lawsuit with the family of a 14 year old girl. The suit alleges that Dr. Floyd performed an abortion on the teenager without her parents' knowledge. During the course of this investigation, I spoke with two women who used to work for Dr. Floyd.

[There followed excerpts from interviews that had been aired the previous evening with Saunders and Danish, with background information on them that had been given the previous evening.]

Ashley: I tried twice to give Dr. Floyd an opportunity to respond. He declined.

[There followed excerpts from the attempted interview shown in the first night's broadcast, followed by a scene showing Floyd walking down the street towards his clinic.]

Floyd, with some parts of words edited out in the TV broadcast: I said get off this ****damn property, you son of a b****.

Floyd, after a short pause: Stand here and let's talk a little bit. When the police hear you ***** me you'll have your ass arrested, you son of a b****.

Ashley, back to camera, facing Floyd: I'm not insulting you.

Floyd: You ought to get off this property with your ass.

Ashley: You just told me to stand here.

Floyd: I told you to get off - this - property.

Ashley: You do not want to answer any questions about this.

Floyd: I said get - off - this - property! [inaudible expletives by Floyd follow]

Ashley: Thank you for your time.

Ashley, back in studio: Dr. Floyd didn't want to answer any of my questions about the allegations they made about his clinic. But he may have to answer to the Department of Health and Environmental Control. DHEC has started an investigation.

[Cut to DHEC official Wayne Fanning, being interviewed by Dan Ashley.]

Fanning: We'd like to know details about the, the information you have so we can pursue whether there is compliance with infectious waste regulations.

[Cut to South Carolina State Senator Glenn McConnell, being interviewed by Dan Ashley.]

Ashley, off camera: } Your reaction to the idea that fetal material is just being flushed down a disposal like you have in your kitchen?

Sen. McConnell: I'm astounded, and I guess I, I'm *horrified* about it. It's just hard to, to swallow that our law allows that. And, and if it does allow that, it needs clearing up.

Ashley, back in the studio: So what *does* the law say? Can fetal tissue be dumped into a garbage disposal and into the public sewer system? You'll hear what officials have to say about that information that we've brought to light coming up tomorrow, as I continue this I Team investigation.

The third and final evening of this series opened with Leslie Lyles and Dan Ashley in the studio, saying:

Ashley: As a direct result of the special I Team investigation you've seen here on TV 2 this week, a North Charleston abortion clinic is under investigation.

Lyles: Health officials are looking into allegations about how the clinic disposes of aborted fetuses, allegations that Dan brought to light this week.

[There followed comments and news clips similar to those at the beginning of reports of the first two evenings. The Ladies' Clinic was again shown from a distance, with off-camera comments like those before. There followed a new clip from the interview with Celeste Danish.]

Danish: I give the doctor credit, he's running a place that's constantly getting hounded by pro-life people, but it needs to be run right if it is to be run at all.

Ashley, in voice-over: What Celeste Danish means by being run right is the way she claims fetuses are disposed of at the Ladies' Clinic after an abortion.

[There followed more clips from interviews with Celeste Danish and Lori Saunders, and the confrontations with Jesse Floyd, all repeating some of what was seen the first two evenings, with narration by Dan Ashley. Then came an excerpt from an interview with DHEC's Wayne Fanning, beginning with Fanning's words above and continuing as follows.]

Ashley, in voice-over: As a result of the information we brought to light, DHEC is investigating.

Fanning: It doesn't seem appropriate ... um, whether it's legal or not is not in question.

[Cut to a scene of workers removing medical waste.]

Ashley, off-camera: The new state Infectious Waste Management Act defines medical waste, among other things, as blood and blood products, tissues and organs, and various body tissues.

[Cut to an interview with Dr. Joe Chambers of the Health Department.]

Chambers: Fetal tissue would be looked on as the products of conception and, and it...I would assume it would be a type of body tissue.

[Back to the scene at a medical facility.]

Ashley, off-camera: The law says infectious medical waste must be packaged, labeled, and either buried or incinerated. There is an exclusion in the law for so-called small waste generators that may apply to the Ladies' Clinic.

Ashley, on camera: That law was designed to help doctors and dentists who generate small amounts of medical waste every day—shuck pads and gauze and that sort of thing. But the law was *never* designed to allow someone to dispose of fetal material in a sink.

[Cut to an interview with State Senator Glen McConnell.]

McConnell: I don't think that *anybody* has ever imagined that it would allow fetuses to be just, uh, flushed down a drain, so to speak, or chopped up and drained. And I mean, that's...it's shocking. The whole thing is, is really horrifying.

Ashley, back in studio: Senator McConnell told me that if the law allows an aborted fetus to be put down a garbage disposal, it shouldn't. And as a direct result of our I Team investigation, Senator McConnell says he plans to introduce legislation to require first-term abortion clinics to be certified by the Department of Health and Environmental Control.

As far as DHEC is concerned, officials tell me they will re-word the regulations to forbid aborted fetuses from being put into the public sewer system.

[end of third broadcast]

This whole series illustrates how the mass media should never be written off by pro-lifers; occasionally, it comes through with an unexpectedly powerful feature that leads to real reform.

It is also clear from this transcript that the public can still be shocked by features of abortion far less monumental than the ending of a human life it entails. Where born human beings (both adults and children) are concerned, our civilization has deep-seated aversions to improper treatment of their corpses, be it grinding and flushing, dismemberment, or cannibalism. This evidently carries over to the same treatment accorded to unborn children. Recent reports of cannibalism of aborted fetuses in China⁵ are another example of this, as are trafficking in fetal tissues and organs.⁶

By the way, fetal tissue transplants can be called “cannibalization” just as one can speak of “cannibalizing” machines for their spare parts. Some of the most outspoken foes of fetal tissue transplants are ardently pro-abortion, but they are concerned for what might happen to women.

Gena Corea, author of *How American Medicine Mistreats Women*, has stated, “Women will be pressured by doctors and families, or by economic need, to become fetal factories.”⁷ Similar concerns have been

⁵ <http://www.uklifeleague.com/foetussoup/foetussoup.htm>. Warning: even those accustomed to pictures of fetal remains after abortions might find their stomachs turned by some of these pictures.

⁶ Suzanne Rini, *Beyond Abortion: A Chronicle of Fetal Experimentation* (Avon NJ: Magnificat Press, 1988; reprinted Tan, 1993). In 1994, I had a telephone conversation with Suzanne Rini, in which she told me that the French cosmetics company *Californie Esthetique*, based near Marseilles, has a brochure which explicitly states that they use collagen from human fetuses in their cosmetics.

⁷ Michael Fumento, “Fetal Attraction,” *The American Spectator* (July 1992), p.

voiced by President Bush about women, particularly poor women in developing countries, being pressured to provide eggs for cloning and for producing embryonic stem cells.

[Strange, isn't it, what a hot topic fetal tissue transplants were a decade ago, touted to promise cures for Parkinson's disease and various other problems. Now, to judge from the media coverage, all this hype has been transferred to embryonic stem cells, while fetal tissue transplants have gone down the memory hole.]

THE BILL PASSES

Senator McConnell was as good as his word, introducing the Abortion Clinic Regulation Act in the 1993 General Assembly. During Senate and House subcommittee hearings about the legislation, post-aborted women told of bloody sheets, bloody cots, and dirty bathrooms they encountered in various abortion clinics. One young woman testified to a House subcommittee that she saw a dog in the procedure room,⁸ and that the abortionist had cut her cervix instead of dilating it properly.

Thanks to this testimony and the earlier public sensation created by the TV special, the bill engendered very little opposition, and was already passed by the Senate and approved by a House subcommittee before the end of February 1994. Even the executive director of Planned Parenthood of Central South Carolina, professed to be in favor of it.⁹ As Rep. Jim Klauber (R-Greenwood) put it, "This is not pro-life, pro-choice or pro-abortion legislation. This is consumer legislation."¹⁰

Meanwhile, the Women's Right to Know bill was being stalled by the usual tactics of pro-"choice" legislators and organizations, including intense lobbying against it by Planned Parenthood and NOW. Finally it was pushed through the House where it won the overwhelming endorsement of the Women's Caucus and passed by a lopsided (about 90%) majority.

Then it got stalled for over two months in a S.C. Senate Subcommittee, chaired by fanatically pro-"choice" Republican (!) State

⁸ *The State* (Columbia SC) February 20, 1994, p.1B.

⁹ *Ibid.*

¹⁰ *Ibid.*

Senator Holly Cork. It took a televised press conference by the leaders of American Victims of Abortion to even get her to schedule a subcommittee meeting. It wasn't until May 1994, the last month of the second legislative session, that she even had her final subcommittee hearing on it. It seemed doomed to die a death by delay, like its predecessors.

But then, in a move that made the "pro-choicers" howl with indignation, Representative Roland Corning tacked the entire long Women's Right to Know bill as an amendment onto the Clinic Regulation Bill—and the House passed the whole new bill! Since the State Senate had passed the original bill, the amended version circumvented the subcommittee-committee process and went straight to the full Senate floor. There, Holly Cork and her allies did their best to either kill it or water it down, and they did succeed in watering it down considerably, including the cutting down of the waiting period to an essentially meaningless one hour. The House went along with the amendments because the Lieutenant Governor at the time was a pro-choice Democrat, unlike pro-life Republican Governor Carroll Campbell. [South Carolina has separate elections for these two offices.] Had House and Senate not agreed on a wording, the bill would have gone to a conference committee and the Lieutenant Governor would probably have appointed Holly Cork as its chair. As it was, the bill finally passed before the end of the session.

THE LONG WAIT AND ITS END

Even so, it was not until January 12, 1995 that Governor Carroll Campbell, in one of the last acts of his administration, finally signed the bill. Then DHEC went to work, as mandated by the bill, to draft the various regulations themselves. The General Assembly then gave its approval to the regulations, and the regulations were due to take effect on June 28, 1996. One day before that, however, came the lawsuit everyone could have predicted, in the form of the Greenville Women's Clinic, the Charleston Women's Medical Clinic, and abortionist William Lynn, bringing suit in the Federal District Court. They alleged that the regulations were "unconstitutionally vague, unduly burdensome and

irrational.” The District Court trial was delayed for almost two years, during which time a temporary restraining order enjoined defendants from enforcing the challenged regulations.

Arguments were finally heard on October 9, 1998, and the Act was declared unconstitutional under the 14th Amendment on February 5, 1999. This decision was appealed to the U.S. Court of Appeals for the 4th Circuit, which reversed it on a 2-1 vote on August 15, 2000. Then on February 26, 2001, the US Supreme Court declined to hear the case, letting this decision stand.

Still the law could not go into effect, because a second suit was brought alleging that the provision for turning over patient records to DHEC was a violation of privacy. Again the District Court found for the plaintiffs, and the Court of Appeals reversed this decision as well. The regulations finally went into effect when the U.S. Supreme Court on April 29, 2003 announced it would not hear the appeal of the decision of the Court of Appeals.¹¹

It wasn't long before the enforcement of the regulations had a tangible effect. In July, an abortion clinic in Greenville named the Palmetto State Medical Center closed. According to abortionist William Lynn, the straw that broke the camel's back was the safety regulations in the Act: the people running the clinic did not think it would be profitable to abide by the regulations.

EPILOGUE

And what of Jesse Floyd, the man we have indirectly to thank for all this? He died in an automobile accident on September 17, 1995, even before DHEC had finished writing the regulations. His heirs tried unsuccessfully to get someone to replace him at the Ladies' Clinics, then decided to sell off the properties. I do not know what happened to the ones in Greenville and Charleston, but the one in Columbia was bought by Denis Yeo, a pro-life engineer, now retired. He then leased the clinic portion of the building out to Bethany Christian Services, an

¹¹ *The State* (Columbia SC), April 29, 2003, p.1B.

organization that does crisis pregnancy counseling and is an adoption service that is opposed to abortion.

Just before Bethany Christian Services moved in, there was a Christian ceremony dedicating the building to its new and fundamentally pro-life purpose. This was in January of 1998, on the day of South Carolina's annual Right to Life March and Rally, which took place just six blocks away. We were invited to walk prayerfully through the building. In my tour I saw strong evidence that the disposal of fetal remains was carried out there in the same way as it was in Charleston. Beneath each sink was a large garbage disposal. Their brand name was fraught with irony: In-Sink-er-Ator. I was reminded of the incinerators of Auschwitz and other concentration camps, disposing of the remains of those who were killed there.

In another ceremony, four years later, the Most Reverend Robert Baker, Bishop of Charleston, blessed the move of the office of Citizens for Life into the lower level of the same building. Bishop Baker has spoken at the annual Right to Life rally every year since he became Bishop of Charleston. The rent had dramatically increased for the office Citizens for Life had been leasing, but Jesse Floyd's old building is situated in a less pricey neighborhood, so Citizens for Life was able to continue its work there without great financial strain.

Back when Jesse Floyd was alive, that portion of the building had been occupied by one Sylvia Floyd, who testified on Floyd's behalf whenever Floyd brought charges of disturbing the peace against sidewalk counselors.

CODA

...they shall beat their swords into plowshares
and their spears into pruning hooks.

—Isaiah 2:4